



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

THE ACT
FOR THE BETTER ADMINISTRATION
OF
CHARITABLE TRUSTS,
WITH
AN ANALYSIS, EXPLANATORY NOTES,
AND A
COPIOUS INDEX.

By W. TIDD PRATT, Esq.

OF THE INNER TEMPLE, BARRISTER-AT-LAW.

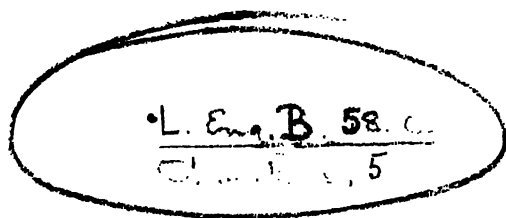
LONDON:
SHAW AND SONS, FETTER LANE,
Law Printers and Publishers.

1854.

Cw. U.K.

X 560

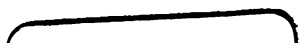
P917

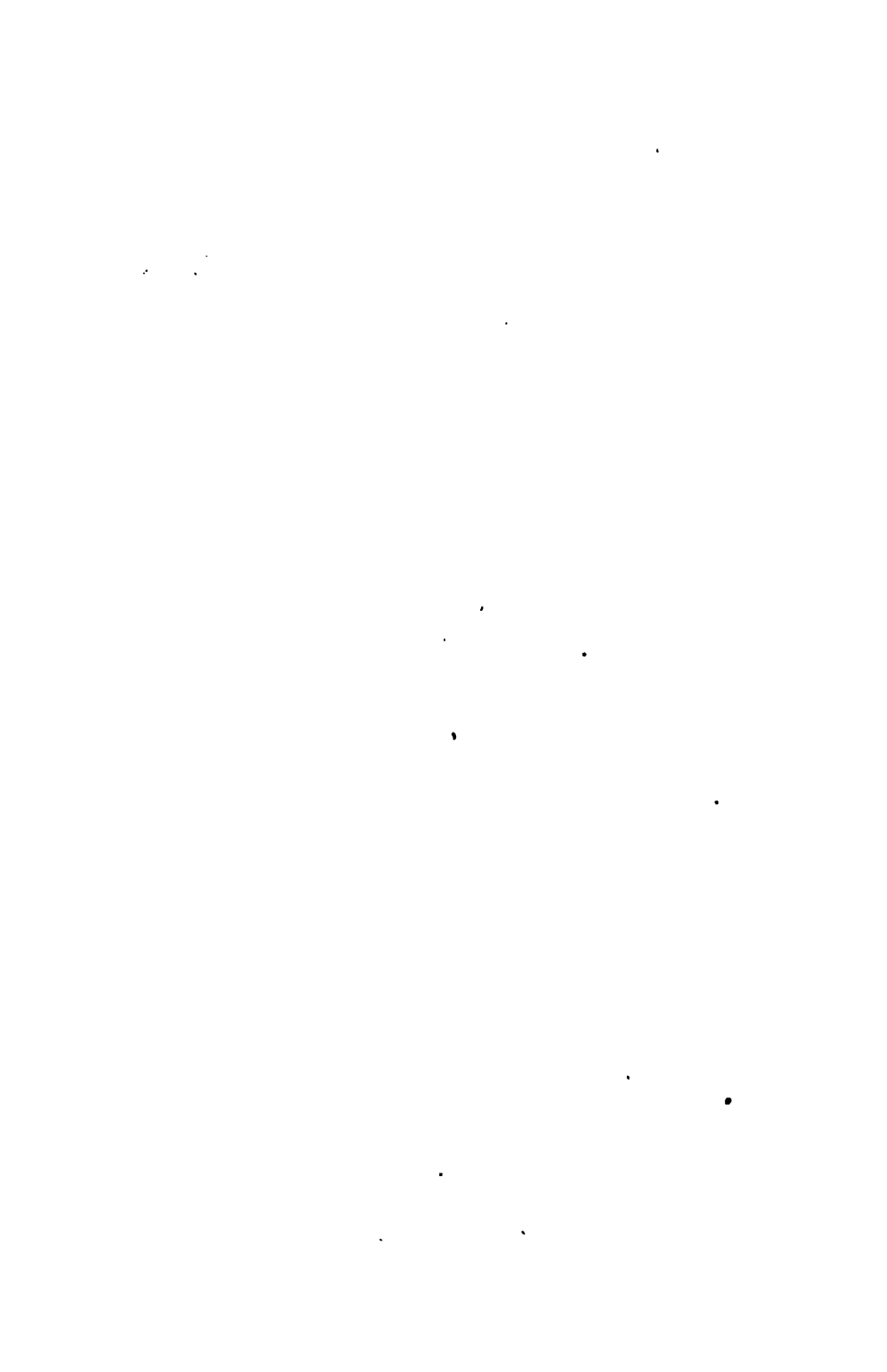


CW .U .K :

560

P 917





THE ACT
FOR THE BETTER ADMINISTRATION
OF
CHARITABLE TRUSTS,
WITH
AN ANALYSIS, EXPLANATORY NOTES,
AND A
COPIOUS INDEX.

By W. TIDD PRATT, Esq.

OF THE INNER TEMPLE, BARRISTER-AT-LAW.

LONDON:
SHAW AND SONS, FETTER LANE,
Law Printers and Publishers.

1854.



LONDON : PRINTED BY SHAW AND SONS, FETTER LANE.

TO
JAMES HILL, Esq.
BARRISTER-AT-LAW,
ONE OF THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES,
THE FOLLOWING
ANALYSIS AND EDITION
OF THE
CHARITABLE TRUSTS ACT, 1853,
ARE (WITH HIS PERMISSION) DEDICATED
BY HIS FRIEND
W. TIDD PRATT.

8, *New Square, Lincoln's Inn.*

ANALYSIS

OF THE ACT FOR THE BETTER ADMINISTRATION OF CHARITABLE TRUSTS.

16 & 17 VICT. c. 137.

CHAPTER I.

Appointment and General Powers of Commissioners and Inspectors.

FOUR commissioners are to be appointed by the Queen, and also one secretary, and two inspectors. Three of the commissioners are to hold office during good behaviour, and the fourth commissioner and every secretary and inspector during the Queen's pleasure [sect. 1]. The three commissioners holding office during good behaviour are to be paid salaries, and two at least of them are to be barristers of not less than twelve years standing, and one of such barristers is to be the chief commissioner [sect. 2]. After the 31st of March, 1857, one only of the three commissioners, besides

the chief commissioner, is to be paid a salary [sect. 4]. No paid commissioner, secretary, or inspector, is to sit in the House of Commons [sect. 5]. The commissioners, with the sanction of the Treasury, are to appoint clerks and messengers, who are to hold office during their pleasure [sect. 3]. They are to be styled "The Charity Commissioners for England and Wales," and to have a seal, and sit as a board; and any two commissioners may form a board [sect. 6].

The board are to frame general minutes for the regulation of their proceedings, and those of the inspectors, and concerning applications to the board, which are to be signed by three of the commissioners at least, and laid before parliament [sect. 7]. Minutes of all the proceedings of the board, and all orders, certificates, and schemes made by them, are to be entered in books and signed by the secretary; and copies of entries so signed are to be received in evidence without further proof [sect. 8].

The board may inquire into all charities, except those expressly exempted from the Act, and into all cathedral, collegiate, chapter, and other schools in England or Wales, and the condition and management thereof, and may cause such inquiries to be made by the inspectors, or either of them, who are to report their proceedings to the board [sect. 9].

They may require accounts and statements in writing in relation to the charity and the income and management thereof to be rendered to them or their inspectors, and answers in writing to be returned to questions addressed by the board [sect. 10]; and officers having the custody of records, &c., are to furnish such copies or extracts thereof as the board may require, and every inspector and officer of the board may, by the authority of the board, examine registers and records, and take copies and extracts thereof for any purpose contemplated by the Act without fee [sect. 11].

Any inspector, with the authority of the board, may, by precept under his hand, require any trustee or person concerned in the affairs of a charity, or deriving any income therefrom, to attend before him and be examined upon oath relating to the charity, or the estates and income thereof, at the time and place mentioned in the precept, and produce any documents in his possession; but no person can be compelled to travel more than ten miles from his abode in obedience to any precept [sect. 12]. Any person giving false evidence is to be deemed guilty of a misdemeanor [sect. 13]; and any person refusing to render any accounts or statements or answers, or to give evidence, or produce documents, is to be deemed guilty of a contempt of the Court of Chancery, and liable to be

attached on summary application of the commissioners [sect. 14]; but no person holding or claiming to hold any property adversely to any charity, or free from any charitable trust, can be required to give any information or produce any deed relating thereto [sect. 15].

The board are to receive and consider applications from any person concerned in the management of any charity for their opinion or advice respecting such charity, or the management or income thereof, or the application thereof, or any question or dispute relating thereto, and may give any opinion or advice, which is to be in writing, under the hand of two at least of the commissioners and seal of the board, and every person acting upon such opinion or advice, if not guilty of fraud or wilful concealment, or misrepresentation in obtaining the same, is to be deemed so far as respects his own responsibility to have acted in accordance with his trust, notwithstanding any judicial order or direction subsequently made by any competent court or judge [sect. 16].

In future before any legal proceedings, except applications in any suit or matter actually pending, are taken as to any charity by any persons whomsoever, except the Attorney-General, acting *ex officio*, or any person claiming any property or seeking any relief adversely to any charity, notice in

writing thereof, with all requisite particulars, is to be sent to the board, who may by order signed by the secretary direct legal proceedings to be commenced for the objects specified in the notice, or for such other objects and subject to such conditions for the benefit of the charity as they may think proper, or they may direct such proceedings to be delayed; and no proceedings as to charities by any person, except the Attorney-General, are to be entertained by any court or judge, except upon a certificate of the board, but the fiat or allowance of the Attorney-General is necessary with respect to any proceeding not being an application under the jurisdiction created by the Act, where such fiat or allowance was necessary before this Act [sects. 17, 18]; and the board may authorize proceedings to be taken, if they think fit, without any such previous notice in writing; and may also, before giving any opinion or advice, or making any such certificate, cause local inquiries to be made by an inspector, and where they see fit deposit the report of the inspector for local inspection, and consider any objections transmitted to them in relation thereto [sect. 19].

The board may, if they think fit, certify any case in writing under the hand of the secretary to the Attorney-General, together with any statements and particulars requisite for the explanation of the

case, who may thereupon, if he shall think fit, institute legal proceedings by information or petition in the Court of Chancery, or by application to a judge at chambers, where the income of the charity exceeds 30*l.*, or the charity is established, &c. in London, but in all other cases to a district court of bankruptcy, or county court [sect. 20].

The board have power, upon the application of the trustees or persons acting in the management of any charity, to sanction, by order under their seal, the granting of building, repairing, improving, or other leases of the charity lands, or leases for working mines, or the digging for or raising of stone, &c., or the cutting of timber, or the forming or laying out of any new road or street, or making of any drains or sewers through any part of the charity estates, or the erection of any new building, or the repairing, &c. of any existing building, or the making of any other improvements or alterations, although such leases or acts are not authorized by the trust; and the board may, for any such purposes, authorize the application of the charity funds, or the raising of money by mortgage, to be repaid by annual instalments, within a period of not more than thirty years [sect. 21].

Any schoolmaster or schoolmistress, or other officer of a charity, may, upon satisfactory proof being furnished to the board of negligence or

incompetency from any cause properly to discharge their duties, be removed by the trustees, under the authority of the board, with such retiring pension (if any) to be charged upon the salary of the successor, or any other portion of the charity revenues, and upon such condition as the board may think proper; but where there is a special visitor, his consent, in writing, is necessary [sect. 22].

Power is given to the board, upon the application of the trustees or persons managing any charity, or upon that of the person against whom a cause of suit exists, with the consent of such trustees, &c., to sanction any proposal made to them for a compromise, with or without any modification; and upon the performance of the terms of the compromise, the agreement is to be a final bar to all suits and demands in respect of such suit [sect. 23].

The board may, upon the application of the trustees, &c. of any charity, stating special circumstances, authorize a sale or exchange of any land belonging to a charity [sect. 24], and the redemption of any rent-charge, or other payment charged upon land for the benefit of the charity, and give directions for securing the due investment of the money arising from any sale, &c., and the due application thereof to the charitable pur-

poses ; and the trustees of any charity may, with the consent of the board, redeem any rent-charge charged upon the charity estate [sects. 24, 25, 26] ; and may, with the sanction of the board, certified under the hand of the secretary, purchase land for erecting buildings for the purposes of the charity from owners under disability, &c., according to the provisions of the Lands Clauses Consolidation Act, 1845 [sect. 27].

The board are, in the month of February in every year, to report to the Queen all their proceedings during the preceding year, up to the 31st of December, which report is to be laid before parliament [sect. 60].

CHAPTER II.

Judicial Proceedings under the Act.

IN cases of all charities established or administered, or applicable to objects in London, and in cases of other charities, the gross annual incomes of which exceed 30*l.*, the Master of the Rolls, or one of the Vice-chancellors, or if the charity is within the jurisdiction of the Court of Chancery of the county palatine of Lancaster, then the Chancellor or the Vice-Chancellor of that court, concurrently with the judges of the Court of Chancery, may hear applica-

tions in chambers, made by any persons authorized by the order or certificate of the board, or by the Attorney-General, relating to the appointment or removal of any trustee, or any other relief, order, or direction relating to any such charity, and are to have the same jurisdiction as the Court of Chancery, or the Lord Chancellor, intrusted with the care of lunatics, now has in a suit or upon petition; and to exercise certain powers vested in them by the 15 & 16 Vict. c. 80, in relation to proceedings at chambers. Their determinations cannot be appealed from in any case where the gross annual income of the charity does not exceed 100*l.*, unless otherwise provided by the general rules to be made under the authority of the Act. And they may, if they think fit, instead of hearing such applications, direct an information, bill, or petition, as the case may be, to be filed or presented as now required by law [sects. 28, 29, 30].

Where the gross annual income of the charity does not exceed 30*l.* (except in cases of charities in London), such applications as before mentioned are to be made to the district court of bankruptcy or county court within whose district or within any two or more of whose districts the charity is established, or administered, or applicable, or as the case may be to any one of such district or county courts. The judge of such court, but not

any deputy sitting for any judge of a county court, is to hear the matter in open court, and have the same jurisdiction as the Court of Chancery, or Lord Chancellor, intrusted as aforesaid; and the clerk of the court is to send a copy of every order or direction to the office in London of the registrar of county courts' judgments, to be enrolled there. No judge of any district or county court can vary any decree or order of the Court of Chancery or any judge thereof, or make an order inconsistent therewith; and if two or more district or county courts have concurrent jurisdiction, only one such court can entertain any application at the same time [sects. 32, 33]; and the board may direct to which court the application is to be made [sect. 34].

N.B.—See *infra*, chapter 3.

The Lord Chancellor, with the consent of the Master of the Rolls and Vice-Chancellors, or any two of them, and the Chancellor of the duchy of Lancaster, with the concurrence of the Vice-Chancellor of the same county palatine, may make rules and orders for regulating the mode of procedure at chambers, and respecting appeals from the decision of the Master of the Rolls and Vice-Chancellors, and the payment of fees to solicitors, and to the officers of the Court, in respect of proceedings under the Act [sect. 31]; and the Lord Chancellor is to make orders for regulating pro-

ceedings before district and county courts, and fixing the fees to be taken; and subject thereto the judges of such courts may regulate proceedings [sect. 45].

All proceedings, orders, and directions made by any such district or county court are subject to any orders to be made by the Lord Chancellor, to be subject to the same rules and have the same effect, and be registered and enforced as other proceedings, &c. of the same court; and any such court may, with the consent of the board, vary any order previously made; and the powers given by the Act of the 9 & 10 Vict. c. 95, for enforcing the payment of any debts, damages, or costs under that Act, may be exercised for putting in force any orders made by a county court under this Act [sect. 38].

If any person, party to any proceeding (other than the Attorney-General acting *ex officio*) shall give notice in writing to the district or county court, and also to the board, stating his desire to appeal against the orders made by such court, and shall obtain a certificate from the board sanctioning an appeal, all proceedings upon the orders appealed from are to be suspended, and the board may require such person to give a bond, with two sureties to be approved of by the deputy registrar of the district court or the clerk of the county

court, to the treasurer of such court, or such other person as the board may approve of, for the costs of the appeal which may be ordered to be paid by him; and also, (if the board think fit,) for the costs of the charity, which bond may be put in suit if such costs are not paid; but the Attorney-General, acting *ex officio*, may appeal at any time within three calendar months after the making of any such order, without complying with the above requirements [sects. 39, 40].

The party appealing must, within three calendar months after the making of the order allowing such appeal, petition the Court of Chancery, and upon the hearing thereof the order may be confirmed, varied, or reversed, or remitted back to the court making the same, or the court may treat the appeal as if it was an original application made to a judge at chambers. If the petition is not presented within the time limited, the order appealed against is to be final [sect. 40].

Previous public notice in writing of any intended application for schemes, or appointment or removal of trustees, must be given in the form directed by the board [sect. 42].

Every application to any judge or court under the Act may be made by the Attorney-General, or with the sanction of the board by all or any of the trustees or persons managing or interested in the

charity, or any two or more inhabitants of any parish or place within which the charity is administered or applicable; and the Attorney-General, acting *ex officio*, may petition the court with respect to charities within the provisions of Sir Samuel Romilly's Act, the 52 Geo. 3, c. 101 [sect. 43].

The statement in any certificate of the board of the amount of the income of any charity is sufficient evidence for determining the jurisdiction under the Act, or the right to appeal. And where a charity has a particular endowment in addition to the principal endowment, the board may in determining the amount of the income treat the same as part of the general endowment, or as a separate charity [sect. 44].

In settling any scheme, or in the appointment or removal of trustees, or generally in the management of any charity, the rights and privileges of the Church of England and the members thereof are not to be diminished or detracted [sect. 46].

Neither the title of any person claiming any real or personal property adversely to any charity, nor any question as to the existence or extent of any charge or trust, is to be determined under the jurisdiction given by this Act [sect. 41].

Where land holden upon trust for any charity is vested in any persons other than the persons acting in the administration of the rents, or where there

are no trustees thereof, or the trustees are unwilling to act, or it is uncertain in whom the same is vested, or the persons cannot be found, or are under disability, or a valid appointment of trustees cannot be made, or from other causes it shall appear desirable, the Court of Chancery or judge of any district or county court may direct the land to be vested in the "treasurer of public charities;" but where the land is vested in a corporation, their consent is necessary; and as to copyhold land, the consent of the lord of the manor must be obtained, who is to be allowed compensation for fines, &c. [sect. 48]; and any such court or judge may make an order revesting the land in the acting trustees or trustee of the charity [sect. 49].

Such court or judge may order trustees, &c., holding any stock or shares in the bank, or other public company, or any government or parliamentary or other securities in trust for any charity, and desirous of transferring the same to the official trustees of charitable funds in trust for the charity, and also any persons desirous of making such a transfer of any legacy or charge of any annuities, &c., to transfer the same to such official trustees; as also in any other case, where such court or judge may think it right for the purpose of security or convenient administration that any stock, &c., should be so transferred [sect. 51].

CHAPTER III.

*Special Powers of Commissioners in relation to
judicial Proceedings.*

WHERE by virtue of this Act any two or more district courts of bankruptcy or county courts shall have concurrent jurisdiction, the board may order to which of them the application is to be made [sect. 34]; and may order any application, within the jurisdiction of any such courts, to be made before a judge of the Court of Chancery, or if within the jurisdiction of the Chancery Court of the county palatine of Lancaster, to be made either before the Chancellor or Vice-Chancellor of that court, or before a judge of the Court of Chancery in the first instance, as if the gross annual income of the charity exceeded 30*l.*; and no district or county court is to entertain any such application, upon the order or certificate containing such direction, or a copy thereof, being produced [sect. 35].

No order or decision of any such district or county court for the appointment or removal of trustees, or approval of a scheme, is to be valid or effectual unless approved of by the board, certified by a certificate in writing, and signed by the secretary; and the approval is not to issue until one calendar month after the receipt by the board of

the copy of the order or decision, and the requisite particulars [sect. 36]. And if the board are dissatisfied with any such order or decision, they may either remit the same for reconsideration, or at once refer the matter to a judge of the Court of Chancery, and may in like manner, refer the order made upon the reconsideration and the subject matter thereof ; or, if the charity is within the jurisdiction of the Court of Chancery of the county palatine of Lancaster, then either to the Chancellor of the duchy or the Vice-chancellor of the court, or to a judge of the Court of Chancery [sect. 37].

The board may, for the purpose of determining the jurisdiction under this Act, or the right to appeal, certify the amount of the income of any charity, and such certificate is to be sufficient evidence for the above purposes ; and in determining such amount any particular endowment may be considered by them as forming part of the general endowments, or as a separate charity [sect. 44].

CHAPTER IV.

Special Powers of Commissioners in relation to Schemes.

THE board may, upon the application of any trustees or other persons concerned in the manage-

ment of any charity, or interested in the benefits thereof, and after inquiries made by them upon the report of any inspector, or information otherwise obtained by the board under this Act, provisionally approve of a new scheme for the application or management of the charity, where the same cannot be carried into complete effect by the Court of Chancery, or under the jurisdiction created by this Act, or otherwise than by an Act of parliament [sect. 54]; but one month's notice at least is to be publicly given as to the nature and particulars of the scheme before the same is approved of; and the board may, after considering any objections to the scheme sent to them within one month after such notice is given, alter or modify the same and approve thereof [sects. 55, 56]; and may also, upon the requisition of any person interested in the charity, refer the matter of the scheme to one of the inspectors for local inquiry, who is to hear evidence, and give public notice of the holding of any meeting by him, except an adjourned sitting, fourteen days at least before the holding thereof [sect. 57]; and the inspector is to report the result of the inquiry and his opinion of the scheme to the board, who may thereupon approve of the same, with or without any alteration [sect. 58].

Every scheme approved of by the board is to be embodied in a certificate made by them, and sealed

with their seal, and a copy thereof is to be deposited in the parish or district in which the charity is wholly or partially situated or administered, and at the office in London of the registrar of county courts' judgments, and public notice is to be given of the intention of the board to proceed with the scheme [sect. 59].

In the annual report of the board to be laid before parliament as before mentioned, the schemes approved of are to be set forth in full, together with the grounds of such approval, and the objections, if any, made thereto, &c.; and the same may be carried into effect by any Act of parliament, with or without alteration, and every such Act is to be deemed a public general Act [sect. 60].

No scheme approved of by any district court of bankruptcy or county court is to be valid unless confirmed by the board [sect. 86]; and previous public notice of all applications relating to schemes intended to be made to any such court is to be given in the manner directed by the board [sect. 42].

In settling any scheme the rights and privileges of the Church of England, or the members thereof, are not to be diminished or detracted [sect. 46].

CHAPTER V.

*Appointment of Treasurer, his Office and Duties,
&c.*

THE secretary of the board is to be "the treasurer of public charities," and to be a corporation by that name in respect of any land vested in him under the order or direction of any court or judge as hereinbefore mentioned (*supra*, p. 14), [sects. 47, 48]; and subject thereto, the treasurer is to be deemed a bare trustee, and is to permit the persons acting in the administration of the charity to have the possession and control of the trust estate, and the application of the income thereof [sect. 50].

CHAPTER VI.

Appointment of Official Trustees, their Office, &c.

THE secretary of the board, and such other public officer or officers as the Lord Chancellor shall appoint, are to be official trustees of charitable funds, to whom any stock or annuities, &c., may be transferred, as hereinbefore mentioned (*supra*, p. 14). The secretary is to keep separate accounts of the

stock, annuities, &c., belonging to each separate charity; and the official trustees are to pay the income thereof to the trustees or persons acting in the administration of the charity, or dispose of such stock, &c., as the Court of Chancery or judge of any district court of bankruptcy or county court, &c., may direct [sect. 52].

CHAPTER VII.

Trustees of Charities, &c., their Duties and Powers under the Act.

TRUSTEES and persons acting in the administration of any charity must, if required, render to the board or their inspectors accounts and statements in writing in relation to such charity or the property thereof, and return answers in writing to questions addressed to them by the board in relation thereto [sect. 10]. Such trustees may, with the consent of the board, redeem any rent-charge, &c., to which the charity estate is liable, and permit the redemption of any rent-charge payable to the charity [sect. 25]; and with the like consent may purchase land required for the building of houses, &c., for the purposes of the charity from owners under disability [sect. 27]; and they or any other persons having the custody of deeds

or muniments relating to such charity may deposit the same for security in a repository to be provided by the board [sect. 63].

Accounts of all monies received and paid on account of the charity are to be kept by the trustees or other persons acting in the administration thereof, who on or before the 25th day of March, in every year, or some other day appointed by the board, are to make out a statement of the income and revenue, and the actual receipts and expenditure of the charity for the year ending the 31st of December preceding, or such other day appointed by the board, together with a balance sheet, both of which are to be certified by one or more of such trustees or persons, and audited by the auditor of the charity (if any), and such statement and balance sheet, or a duplicate thereof, are to be sent in the case of a charity whose income does not exceed 30*l.* to the clerk of the county court having jurisdiction over such charity, or to the clerk of the court for the nearest district, if the charity be not subject to the jurisdiction of any county court; and in the case of a charity having an income above 30*l.* to the clerk of the peace of the county or the division of a county in which the charity is established, and the same are likewise to be registered without fee by the registrar of county courts' judgments, or the clerk of such county court, or

CHAPTER IX.

Miscellaneous Provisions.

THE legal estate in lands now vested in municipal corporations on charitable trusts is to be vested without any conveyance in the trustees appointed by the Lord Chancellor under the 5 & 6 Will. 4, c. 76, upon the same trusts as such lands are now subject to; and are to vest in the trustees for the time being, without any conveyance [sect. 65].

The expression "charity" in the Act is to mean every endowed foundation and institution in England or Wales within the meaning of the 43 Eliz. c. 4, or as to which the Court of Chancery has jurisdiction [sect. 66].

The Act is not to extend to Scotland or Ireland [sect. 67]; and is to be cited as "The Charitable Trusts Act, 1853," [sect. 68].

ARRANGEMENT OF CLAUSES.

Sect.		Page
	Preamble - - - - -	31
1.	Her Majesty empowered to appoint charity commissioners, secretary, and inspectors -	31
2.	Qualification of commissioners - - -	32
3.	Officers of the board - - - - -	32
4.	Salaries - - - - -	32
5.	No paid commissioner, secretary, or inspector to sit in House of Commons - - - -	33
6.	Style of commissioners, who may sit as a board	33
7.	Board to frame general minutes - - -	34
8.	Minutes of proceedings and orders, &c. to be entered, and copies of entries signed by the secretary to be received in evidence - -	34
9.	Board to inquire into condition and management of charities - - - - -	34
10.	Power to require accounts and statements -	35
11.	Officers having custody of records to furnish copies and extracts, if required by board -	35
12.	Inspector may examine witnesses on oath -	36
13.	Persons giving false evidence, &c. to be guilty of a misdemeanor - - - - -	37
14.	Persons not rendering accounts guilty of a contempt of court - - - - -	37
15.	Saving for persons claiming adversely to charities - - - - -	37

Sect.	Page
16. Board to entertain applications for their opinion or advice. Persons acting on advice of board to be indemnified - - - -	38
17. Notice of legal proceedings as to any charity by any person to be given to the board. Courts not to entertain proceedings as to charities, except upon certificate of the board - -	39
18. Saving for the attorney-general acting <i>ex officio</i>	40
19. Board may, upon the report of an inspector, authorize proceedings, where no notice has been given to them, and may in other cases cause local inquiries by their inspector -	41
20. Power for board to certify certain cases to the attorney-general - - - -	41
21. Board may sanction building leases, working mines, doing repairs, and improvements; and may authorize the application of the charity funds or the raising of money on mortgage for those purposes - - -	42
22. Commissioners to authorize trustees to remove officers - - - -	43
23. Board may sanction compromise of claims on behalf of charity - - - -	44
24. Board, under special circumstances, may authorize sale or exchange of charity lands - -	45
25. Board may authorize the redemption of rents-charge - - - -	45
26. Leases, sales, &c. authorized by the board to be valid - - - -	46
27. Trustees of charities enabled to purchase sites for building from owners under disability, &c., according to the provisions of Lands Clauses Consolidation Act, 1845 - - -	46
28. In cases of charities the incomes of which exceed £30, Master of the Rolls and Vice-chancellors, upon applications to them at chambers, to	

Sect.	Page
have the same jurisdiction as the Court of Chancery or Lord Chancellor now has upon information, &c. - - - - -	47
29. Provision as to charities within the jurisdiction of the Court of Chancery of the county Palatine of Lancaster - - - - -	49
30. Provisions as to charities the incomes whereof exceed £30, to extend to charities in the city of London the incomes whereof do not exceed £30 - - - - -	50
31. Lord Chancellor, with the advice of Master of the Rolls and Vice-chancellors, or two of them, to make general orders - - - - -	50
32. District courts of bankruptcy and county courts to have jurisdiction in cases of charities the incomes of which do not exceed £30 - - - - -	50
33. Deputy sitting for county court judge not to exercise jurisdiction under this Act - - - - -	52
34. Where two or more district or county courts have concurrent jurisdiction, board to direct to which court applications shall be made - - - - -	52
35. Board may direct cases within the jurisdiction of a district county court to be taken before a judge of the Court of Chancery in the first instance - - - - -	52
36. No order of district or county court for the appointment or removal of trustees or approval of a scheme to be valid unless confirmed by board - - - - -	53
37. Board, if dissatisfied with the order of district or county court, may remit the case for reconsideration, or may transfer the matter to a judge of the Court of Chancery - - - - -	54
38. How orders of district or county court under this Act to be enforced - - - - -	55
39. Appeal - - - - -	56

Sect.	Page
40. Proceedings on appeal. Bond to prosecute appeal may be put in suit - - -	57
41. Chancery judge or district or county court in proceedings under this Act not to try titles, &c. - - -	58
42. Notice to be published of application for schemes or appointment or removal of trustees under this Act - - -	58
43. By whom applications may be made; attorney-general may petition under 52 G. 3, c. 101 -	59
44. Statement in certificate of board of the amount of income of any charity to be sufficient evidence for determining the jurisdiction or proceedings under this Act; proviso as to particular endowments - - -	60
45. Lord Chancellor to make orders for regulating proceedings before district and county courts, and subject thereto judges to regulate proceedings - - -	61
46. Reservation of rights and privileges of church of England with respect to charities - -	61
47. Secretary to be treasurer of charities; such treasurer to be a corporation - - -	62
48. Land holden upon trust for a charity, subject to jurisdiction of Court of Chancery and of judge, may be vested in treasurer. Proviso	62
49. Orders may be made revesting land, &c., in the trustees of the charity - - -	63
50. Treasurer to be a bare trustee - - -	64
51. Judge may order trustees, &c., holding stock, &c., belonging to a charity subject to his jurisdiction to transfer same to official trustees -	64
52. Secretary to keep separate accounts of funds of each charity - - -	65
53. Trustees may deposit deeds or muniments for security in a repository provided by the board	65
54. Power to board to frame schemes for the appropriation of charitable property to varied trusts	65

OF CLAUSES.

29

Sect.	Page
55. Notice to be given before approval of schemes, and objections may be submitted for the consideration of the board - - - -	66
56. Board may alter or modify or approve of schemes - - - -	67
57. The matter of schemes may be referred to an inspector for local inquiry - - - -	67
58. Inspectors to report the result of inquiry to the board - - - -	68
59. Schemes when approved to be certified by the board; copy of such certificate to be deposited in the parish or district and notice given -	68
60. Annual report to be laid before parliament; schemes when certified may be carried into effect by Act of parliament - - - -	69
61. Accounts of trustees of charities to be delivered to the clerks of county courts, clerks of the peace, and to the board - - - -	69
62. Exemptions from the operation of Act; provisions as to charities supported partly by voluntary subscriptions - - - -	72
63. Exempted charities may petition commissioners to have benefit of Act - - - -	74
64. Disputes among members of exempted charities may be referred to arbitration of commissioners - - - -	74
65. Legal estate of land now vested in municipal corporations on charitable trusts to be vested in trustees. 5 & 6 W. 4, c. 76 - - - -	75
66. Interpretation clause - - - -	76
67. Act not to extend to Scotland or Ireland - -	78
68. Short title of Act - - - -	78

16 & 17 VICT. CAP. 137.

AN ACT
FOR THE BETTER ADMINISTRATION OF
CHARITABLE TRUSTS.

[20TH AUGUST, 1853.]

WHEREAS it is expedient to provide means for Preamble.
securing the due administration of charitable trusts,
and for the more beneficial application of charitable
funds in certain cases: be it therefore enacted by
the Queen's most excellent Majesty, by and with the
advice and consent of the Lords Spiritual and Tem-
poral, and Commons, in this present Parliament
assembled, and by the authority of the same, as
follows:—

I. It shall be lawful for Her Majesty and her
successors, by warrant under the royal sign manual,
to appoint four commissioners, and also one secretary
and two inspectors for the purposes of this Act, and
upon any vacancy by the death, resignation, or re-
Her Majesty empowered to appoint charity commissioners, secretary, and inspectors.

removal of any commissioner, secretary, or inspector under this Act, from time to time in like manner to appoint another person to succeed to such vacancy, and until a fresh appointment shall be made it shall be lawful for the surviving or continuing commissioners, in case of any vacancy, to act as if no such vacancy had occurred; and three of the said commissioners shall hold office during good behaviour; and the fourth, and every secretary and inspector to be appointed under this Act, shall hold office during the pleasure of Her Majesty.

**Qualification
of commis-
sioners.**

II. The said three commissioners so holding office during good behaviour shall be paid as hereinafter mentioned, and two at least of the said paid commissioners for the time being shall be barristers-at-law of not less than twelve years standing at the time of their respective appointments, and one of such barristers shall be the chief commissioner, and shall be so called and distinguished in his appointment.

**Officers of
the board.**

III. The said commissioners, with the sanction of the commissioners of Her Majesty's Treasury, shall from time to time appoint such clerks and messengers as the said commissioners may think fit, and all persons appointed under this provision shall hold their offices during the pleasure of the said commissioners.

Salaries.

IV. There shall be paid to the said paid commissioners, and to the said secretary, inspectors, clerks, and messengers, such salaries not exceeding for the chief commissioner the annual sum of one thousand five hundred pounds, and for each of the other paid

commissioners the annual sum of one thousand two hundred pounds, and for the said secretary the annual sum of six hundred pounds, and for each of the said inspectors the annual sum of eight hundred pounds, as shall be from time to time allowed by the commissioners of Her Majesty's Treasury, who may also allow to every commissioner, inspector, and other person appointed for the purposes of this Act, such reasonable travelling and other expenses as may be incurred by him in the execution of his office, and the said salaries and expenses, and the incidental expenses of the said board, shall be paid out of any monies which may be from time to time provided by parliament for that purpose: provided always, that after the thirty-first day of March in the year one thousand eight hundred and fifty-seven, the said annual salary shall be paid to one only of the said commissioners besides the said chief commissioner.

V. No paid commissioner, secretary, or inspector to be appointed under this Act shall be capable of sitting in the House of Commons during the tenure of his office.

No paid commissioner, secretary, or inspector to sit in House of Commons.

VI. The said commissioners to be appointed under this Act shall be styled "The Charity Commissioners for *England* and *Wales*," and may have and use a seal for authenticating documents, and such commissioners shall sit from time to time as a board for carrying this Act into execution; and any two of such commissioners may form a board, and may exercise all or any of the powers conferred on the commissioners or the board by this Act.

Style of commissioners, who may sit as a board.

Board to
frame
general
minutes.

VII. The said board shall, by general minutes, from time to time prescribe regulations for their proceedings, and the proceedings of their inspectors, and concerning the form and manner of applications to the said board, and the conditions to be performed by applicants, and for the guidance of applicants in relation thereto, and all such general minutes shall be signed by three of the said commissioners at the least; and copies of all such general minutes shall be laid before both Houses of Parliament within fourteen days after the making thereof if parliament be sitting, or if parliament be not sitting, then within fourteen days after the next meeting thereof.

Minutes of
proceedings
and orders,
&c., to be
entered, and
copies of
entries
signed by the
secretary to
be received
in evidence.

VIII. The said board shall cause minutes of their proceedings, and all orders, certificates, and schemes, made or approved by them under this Act, to be entered in books to be provided and kept for such purpose, and all such entries shall be signed by their secretary, and all copies purporting to be extracted from the books of the said board, and to be certified by their secretary, of any such minutes, orders, certificates, and schemes entered as aforesaid, shall be received as evidence of the proceedings to which such minutes shall relate, and of such orders, certificates, or schemes, and of the making or approval thereof (as the case may require) by the said board, without further proof thereof.

Board to
inquire into
condition
and manage-
ment of
charities.

IX. It shall be lawful for the said board from time to time, as they in their discretion may see fit, to examine and inquire into all or any charities (a) in

(a) See sect. 62, *infra*, for those exempted from the Act.

England or Wales, and the nature and objects, administration, management, and results thereof, and the value, condition, management, and application of the estates, funds, property, and income belonging thereto; and the said board may cause examinations and inquiries in relation to the matters aforesaid to be made and prosecuted by their inspectors, acting together or separately, in such cases and at such times as the said board may think fit; and all such inspectors shall from time to time report their proceedings to the said board.

X. The said board may require all trustees or persons acting or having any concern in the management or administration of any charity, or the estates, funds, or property thereof, to render to the said board, or to their inspectors, or either of them, accounts and statements in writing in relation to such charity, or the funds, estates, property, income, or monies thereof, or the administration, management, and application thereof, and may also require such trustees and persons to return answers in writing to any questions or inquiries addressed to them by the direction of the said board relating to the matters aforesaid.

Power to
require ac-
counts and
statements.

XI. All officers having the custody of enrolments, decrees, reports, records, and other documents relating to or concerning any charity shall furnish such copies or extracts as shall be required by the said board; and every inspector, secretary, and other officer of the said board for the time being employed for the purposes of this Act shall be at liberty, by the authority and under the directions of

Officers
having cus-
tody of re-
cords to
furnish
copies and
extracts, if
required by
board.

the board, and subject to such regulations as the board may make in that behalf, to examine and search the registers and records of every court of law and equity, and every ecclesiastical court, and every public registry and office of records, and to take copies of and extracts from any decree or document recorded or registered or deposited therein respectively, for any purpose contemplated by this Act, without fee or other payment in respect thereof.

Inspector
may examine
witnesses
on oath.

XII. Any inspector acting under the authority of the said board may, by precept under his hand, subject to such regulations as the said board may make in that behalf, require any person, being a trustee of any charity or otherwise acting or having any concern in the management or administration of any charity, or of the estates, funds, or property thereof, or in the receipt or payment of the income or monies thereof, or deriving any income or stipend therefrom, to attend before such inspector for the purpose of being examined by him touching or relating to such charity, or the estates, funds, property, or income thereof, at any time and place mentioned or appointed by such precept, and to bring and produce any deed, paper, writing, instrument, or other document, being in the custody, possession, or power of such person, and relating to such charity, or the estates, funds, property, or income thereof, and may examine upon oath all persons attending in pursuance of such precept, and all persons voluntarily attending before him, and may administer such oath: provided always, that no person shall be obliged to

travel in obedience to any such precept more than ten miles from his place of abode.

XIII. If any person wilfully give false evidence upon any examination under this Act, every person so offending shall be deemed guilty of a misdemeanor.

Persons giving false evidence guilty of a misdemeanor.

XIV. If any person from whom the said board, or any inspector, is authorized to require any account or statement or answers to any questions or inquiries, or whose attendance any inspector is authorized to require, shall refuse or wilfully neglect to render to the said board such account or statement, or to make answers to such questions or inquiries, or to attend in obedience to any lawful precept of any inspector or to give evidence before him, or shall wilfully alter, destroy, withhold, or refuse to produce any deed, paper, writing, instrument, or other document which may be lawfully required to be produced before any inspector or the said board, every person so offending shall be deemed and taken to have been guilty of a contempt of the High Court of Chancery, and shall be liable to be attached and committed by such court on summary application by the commissioners to the same, and shall pay the costs of and attending such contempt as the said court shall direct.

Person refusing to render accounts, &c. to be deemed guilty of a contempt of court.

XV. Provided always, that nothing herein contained shall extend to give to the said board or their inspectors, any power of requiring from any person holding or claiming to hold any property

Saving for persons claiming adversely to charities.

whatsoever adversely to any charity, or free or discharged from any charitable trust or charge, any information, or the production of any deed or document whatever in relation to the property so held or claimed adversely, or any charitable trust or charge alleged to affect the same.

Board to entertain applications for their opinion or advice.

XVI. The said board shall receive and consider all applications which may be made to them by any trustee or other person having any concern in the management or administration of any charity, for their opinion, advice, or direction respecting such charity, or the management or administration thereof, or the estates, funds, property, or income thereof, or the application thereof, or any question or dispute relating to the same respectively, and, if they so think fit, may, upon any such application, give such opinion or advice as they think expedient, subject to any judicial order or direction which may be subsequently made or given by any competent court or judge; and such opinion or advice shall be in writing, signed by two or more of the said commissioners, and sealed with the seal of the said commission; and every trustee and other person who shall act upon or in accordance with the opinion or advice given by the said board shall in respect of so acting be deemed and taken, so far as respects his own responsibility, to have acted in accordance with his trust; and no such judicial order or direction subsequently made or given by any court or judge shall have any such retrospective effect as to interfere with or impair the indemnity by this Act given to trustees and other persons who have acted upon or in accordance with such opinion or

Persons acting on advice of board to be indemnified.

advice of the said board: provided always, that nothing herein contained shall extend to indemnify any trustee or other person for any act done in accordance with the opinion or advice of the said board, if such trustee or other person have been guilty of any fraud or wilful concealment or misrepresentation in obtaining such opinion or advice.

XVII. Before any suit, petition, or other proceeding (not being an application in any suit or matter actually pending) for obtaining any relief, order, or direction concerning or relating to any charity, or the estate, funds, property, or income thereof, shall be commenced, presented, or taken, by any person whomsoever, there shall be transmitted by such person to the said board, notice in writing of such proposed suit, petition, or proceeding, and such statement, information, and particulars as may be requisite or proper, or may be required from time to time, by the said board, for explaining the nature and objects thereof; and the said board, if upon consideration of the circumstances they so think fit, may, by an order or certificate signed by their secretary, authorize or direct any suit, petition, or other proceeding to be commenced, presented, or taken with respect to such charity, either for the objects and in the manner specified or mentioned in such notice or for such other objects and, in such manner and form, and subject to such stipulations or provisions for securing the charity against liability to any costs or expenses, and to such other stipulations or provisions for the protection or benefit of the charity, as the said board may think proper; and such board, if it seem proper to them, may by

Notice of legal proceedings as to any charity by any person to be given to the board.

Courts not to entertain proceedings as to charities, except upon certificate of the board.

such order or certificate as aforesaid require and direct that any proceeding so authorized by them in respect of any charity, shall be delayed during such period as shall seem proper to, and shall be directed by such board; and every such order or certificate may be in such form and may contain such statements and particulars as such board shall think fit; and (save as herein otherwise provided) no suit, petition, or other proceeding for obtaining any such relief, order, or direction as last aforesaid shall be entertained or proceeded with by the Court of Chancery, or by any court or judge, except upon and in conformity with an order or certificate of the said board: provided always, that this enactment shall not extend to or affect any such petition or proceeding in which any person shall claim any property or seek any relief adversely to any charity.

Saving for the attorney-general acting *ex officio*.

XVIII. Provided always, that it shall be lawful for Her Majesty's attorney-general acting *ex officio* to make such applications, and take and prosecute such proceedings with respect to any charity, in the Court of Chancery or otherwise, as to him may seem fit as if this Act had not been passed (*b*); and that nothing in this Act contained shall be construed as dispensing with the fiat or allowance of Her Majesty's attorney-general, with respect to any proceeding not being an application under the jurisdiction created by this Act where such fiat or allowance was necessary before the passing of this Act (*c*).

(*b*) See *Hill on Trustes*, pp. 468, 469.

(*c*) If the subsequent proceedings, after obtaining the certificate mentioned in the 17th section, be taken under the

XIX. Provided also, that where upon any report of any inspector under this Act or otherwise it appears to the said board that any suit, petition, or other proceeding concerning or relating to any charity, or the estate, funds, property, or income thereof, would be proper or expedient, it shall be lawful for the said board by their order to authorize or direct such suit, petition, or proceeding to be commenced, presented, or taken, and to give such directions in relation thereto as the said board may think proper; and thereupon such suit, petition, or proceeding may be commenced, presented, or taken accordingly, without any such previous notice in writing as hereinbefore mentioned; and the said board, before giving any such opinion, advice, or direction upon any such application as aforesaid, or making any such order or certificate after notice to them as aforesaid, may, where local inquiry appears to them to be requisite, cause such inquiry to be made by one of their inspectors; and the said board may, in any case where they see fit, before acting upon the report of any inspector cause such report to be deposited for local inspection, and give notice of the same being so deposited, and consider any statements or objections which may be transmitted to them in relation thereto.

XX. In any case in which it shall appear to the said board that the institution of legal proceedings is requisite or desirable with respect to any charity,

special jurisdiction created by the Act, no fiat or allowance by the attorney-general will be requisite, but the same will still be necessary when proceedings are taken under the old jurisdiction.

Board may, upon the report of an inspector, authorize proceedings, where no notice has been given to them, and may in other cases cause local inquiries by their inspector.

Power for board to certify certain cases to the attorney-general.

or the estates, funds, property, or affairs thereof, and that under the circumstances thereof it is desirable that such proceedings should be instituted by the attorney-general, it shall be lawful for the said board, if they so think fit, to certify such case, in writing under the hand of the secretary of the said board, to Her Majesty's attorney-general, together with such statements and particulars (if any) as in the opinion of the said board may be requisite or proper for the explanation of such case; and thereupon the said attorney-general, if upon consideration of the circumstances he think fit, shall institute and prosecute such legal proceedings as he shall consider requisite or proper under the circumstances of such case, by information or petition in the Court of Chancery, or by application to a judge thereof at chambers, or to a district court of bankruptcy, or county court under the jurisdiction given by this Act.

Board may
sanction
building
leases, work-
ing mines,
doing repairs
and improve-
ments;

XXI. If in any case it appear to the trustees or persons for the time being acting in the administration or management of any charity, or the estates or property thereof, that any part of the charity lands or estates may be beneficially let on building, repairing, improving, or other leases, or on leases for working any mine, or that the digging for or raising of stone, clay, gravel, or other minerals, or the cutting of timber, would be for the benefit of the charity, or that it would be for the benefit of such charity that any new road or street should be formed or laid out, or any drains or sewers made through any part of the charity estates, or that any new building should be erected, or that any existing

building should be repaired, altered, rebuilt, or wholly removed, or that any other improvements or alterations in the state or condition of the lands or estates of such charity should be made, it shall be lawful for such trustees or persons to lay before the said board a statement and proposal in relation to any of the matters aforesaid; and it shall be lawful for the said board, if they think that the leases or acts to which the statement and proposal relate (with or without modifications or alterations) would be beneficial to the charity, to make such order under their seal for and in relation to the granting of such leases, or the doing of any other such acts as aforesaid, and any circumstances connected therewith, as they may think fit, although such leases or acts respectively shall not be authorized or permitted by the trust; and the said board by any such order, may authorize the application of any monies or funds belonging to the charity for any of the purposes or acts aforesaid, and, if necessary, may authorize the trustees to raise any sum of money by mortgage of all or any part of the charity estates; provided that compulsory provisions be reserved in every such mortgage for the payment of the principal money borrowed by annual instalments, and for the redemption and re-conveyance of the mortgaged estates within the period of not more than thirty years.

and may authorize the application of the charity funds or the raising of money on mortgage for those purposes.

XXII. It shall be lawful for the board, upon proof to their satisfaction that any schoolmaster or schoolmistress or other officer of any charity has been negligent in performing his or her duties, or that he or she is unfit or incompetent to discharge

Commissioners to authorize trustees to remove officers.

them properly, either from immoral conduct, age, or any other cause whatsoever, to empower the trustees of such charity to remove such schoolmaster or mistress or other officer, and to charge the salary of his or her successors, or any other portion of the revenues of the charity, with such retiring pension or allowance, if any, in favour of the person so removed, and generally to impose such conditions as to the said board shall appear proper: provided always, that where there shall be any special visitor of the charity, the consent of such visitor, in writing under his hand, shall be necessary in order to such removal.

Board may
sanction
compromise
of claims on
behalf of
charity.

XXIII. If in any case it appear to the trustees or persons acting in the administration of any charity that any claim or demand or cause of suit against any person in relation to such charity may, with advantage to the charity, or should, under the special circumstances of the case, be compromised or adjusted without taking or without continuing any proceedings at law or in equity, such trustees or persons may, or the person against whom such claim, demand, or cause of suit exists or is alleged to exist, may, with the consent of the trustees or persons acting in the administration of such charity, submit to the said board a statement and proposal for such compromise or adjustment; and if it appear to the said board after such inquiry in relation thereto by one of their inspectors, as they may deem requisite, or otherwise, that such proposal, either with or without any modification, is fit and proper, and for the benefit of the charity, it shall be lawful for the said board to make such order for and in

relation to such compromise or adjustment as they may think fit; and upon the due performance of the terms and conditions of such compromise or adjustment as aforesaid, such agreement shall be a final bar to all actions, suits, claims, and demands by or on behalf of the charity concerned therein, in respect to the cause of action, suit, or matter in respect to which such compromise or adjustment shall have been made.

XXIV. Upon application to the said board by the trustees or persons acting in the administration of any charity, representing to the said board that, under the special circumstances of any land belonging to the charity, a sale or exchange of such land can be effected on such terms as to increase the income of the charity, or would otherwise be advantageous to the charity, such board may, if they think fit, inquire into such circumstances, and if after inquiry they are satisfied that the proposed sale or exchange will be advantageous to the charity may authorize the sale or exchange, and give such directions in relation thereto, and for securing the due investment of the money arising from any such sale, or by way of equality of exchange for the benefit of the charity, as they may think fit.

Board, under special circumstances, may authorize sale or exchange of charity lands.

XXV. The said board shall have authority, upon such application as aforesaid, to authorize the sale to the owners of the land charged therewith of any rent-charge, annuity, or other periodical payment charged upon land and payable to or for the benefit of any charity, or applicable to charitable purposes, upon such terms and conditions as they may deem

Board may authorize the redemption of rents-charge.

beneficial to the charity, and to give such directions for securing the due investment of the money arising from such sale for the benefit of the charity, or for securing the due application thereof to such charitable purposes, as they may think fit; and in like manner the trustees of any charity, with the consent of the board, may purchase any rent-charge or other yearly payment to which the charity estate is or shall be liable (d).

Leases, sales, &c., authorized by the board to be valid.

XXVI. The leases, sales, exchanges, and other transactions authorized by such board under the powers of this Act shall have the like effect and validity as if they had been authorized or directed by the express terms of the trust affecting the charity.

Trustees of charities enabled to purchase sites for building from owners under disability, &c., according to the provisions of Lands Clauses Consolidation Act, 1845.

XXVII. Where any land shall be required for the erection or construction of any house or building with or without garden, playground, or other appurtenances, for the purposes of any charity, and the trustees of the charity shall be legally authorized to purchase and hold such land, but by reason of the disability of any person having an estate or interest in such land, or of any defect in title thereto, a valid and perfect assurance of the same land cannot be made to the trustees of the charity in the ordinary manner, it shall be lawful for the trustees of the charity, with the sanction of the said board (such sanction to be certified under the hand of their secretary), to take and purchase such land according to the provisions of "The Lands Clauses Consolida-

(d) See 16 & 17 Vict. cc. 47, 117, authorizing the redemption of land-tax.

tion Act, 1845;" and for that purpose all the clauses and provisions of the last-mentioned Act with respect to the purchase of lands by agreement, and with respect to the purchase money or compensation coming to parties having limited interests, or prevented from treating, or not making a title, and also with respect to conveyances of lands, so far as the same clauses and provisions respectively are applicable to the cases contemplated by this provision, shall be incorporated in this Act; and in all cases contemplated by this provision, the expression "the special Act" used in the said clauses and provisions of the said "Lands Clauses Consolidation Act" shall be construed to mean this Act; and the expression "the Promoters of the Undertaking," used in the same clauses and provisions, shall be construed to mean the trustees of the charity in question (*e*).

XXVIII. Where the appointment or removal of any trustee, or any other relief, order, or direction relating to any charity of which the gross annual income for the time being exceeds thirty pounds (*f*), shall be considered desirable, and such appointment, removal, or other relief, order, or direction might now be made or given by the Court of Chancery, in respect either of its ordinary or its special or statutory jurisdiction, or by the Lord Chancellor intrusted with the care and commitment of the custody of lunatics (*g*), it shall be lawful for any person authorized in this behalf by the order or certificate of the said board, or for the attorney-general, to make application (without any information, bill, or peti-

In cases of charities the incomes of which exceed 30*l.*, Master of the Rolls and Vice-chancellors, upon applications to them at chambers, to have the same jurisdiction as the Court of Chancery or Lord Chancellor now has upon information, &c.

(*e*) See 8 Vict. c. 18, ss. 6 to 15, and 69 to 83.

(*f*) Or to any charity in London, see sect. 30, *infra*.

(*g*) See *Hill on The Law Relating to Trustees*, pp. 468, 469.

15 & 16 Vict.
c. 80.

tion,) to the Master of the Rolls or one of the Vice-chancellors sitting at chambers, for such order, direction, or relief as the nature of the case may require; and the Master of the Rolls or the Vice-chancellor to whom any such application shall be made shall and may proceed upon and dispose of such application in chambers, save where he may think fit otherwise to direct, and shall and may have and exercise thereupon all such jurisdiction, power, and authority, and make such orders and give such directions in relation to the matter of such application, as might now be exercised, made, or given by the Court of Chancery or by the Lord Chancellor intrusted as aforesaid, in a suit regularly instituted, or upon petition, as the case may require; and the Master of the Rolls and Vice-chancellors respectively shall, in relation to such applications as aforesaid, and the proceedings thereon, (subject to any rules which may be made by the Lord Chancellor, with the advice and consent of them or any two of them,) have all such powers of directing matters to be heard in open court, and of ordering what matters shall be heard and investigated by themselves and their chief clerks respectively, and such other powers and authorities as by the Act of the last session of parliament, chapter eighty, are vested in or authorized to be exercised by them at chambers, and the provisions of the said Act applicable to orders made by the Master of the Rolls or any of the Vice-chancellors at chambers shall extend to all orders so made under this Act (h): provided always, that, save as may be otherwise provided by any

(h) See 15 & 16 Vict. c. 80, ss. 13, 14, 15, 27, 28, 29, 37, 40, 42.

rules to be made by the Lord Chancellor (i), with such advice and consent as aforesaid, the determinations of the Master of the Rolls and Vice-chancellors respectively upon and in relation to such applications as aforesaid shall not be subject to appeal in any case where the gross annual income of the charity does not exceed one hundred pounds; provided also, that it shall be lawful for the Master of the Rolls or any Vice-chancellor, where under the circumstances of any application as aforesaid he may so see fit, to direct that for obtaining the relief, order, or direction sought for by such application an information, bill, or petition, as the case may require, shall be filed or presented and prosecuted as now by law required, and to abstain from further proceedings on such application.

XXIX. The jurisdiction created and given by this Act to the Master of the Rolls and the Vice-chancellors sitting in chambers, upon any application to them respectively as aforesaid, shall extend concurrently to and may be exercised by the Chancellor of the duchy and county palatine of *Lancaster*, and the Vice-chancellor of the same county palatine respectively for the time being, as to every charity within the jurisdiction of the Court of Chancery of the said county palatine whose gross annual income for the time being exceeds thirty pounds, upon application being made to such Chancellor or Vice-chancellor respectively; and it shall be lawful for the Chancellor of the said duchy and county palatine, with the concurrence of the Vice-chancellor of the same county palatine, from time to time to make and

Provision as to charities within the jurisdiction of the Court of Chancery of the county palatine of Lancaster.

(i) See sect. 31, *infra*.

issue any rules and orders for regulating the modes of proceeding, and the fees to be taken in respect of proceedings under this Act.

Provisions as to charities exceeding 30l. per annum to extend to charities in London not exceeding 30l.

XXX. Provided always, that the provisions of this Act applicable to any charity the gross annual income whereof exceeds thirty pounds shall extend to any charity established or administered or applicable to or for objects or purposes within the city of *London* the gross annual income whereof does not exceed thirty pounds, in like manner as if such income exceeded that amount.

Lord Chancellor, with the advice of Master of the Rolls and Vice-chancellors, or two of them, to make general orders.

XXXI. It shall be lawful for the Lord Chancellor, with the advice and consent of the Master of the Rolls and Vice-chancellors, or any two of them, to make and issue general rules and orders for regulating the mode and form of applications at the chambers of the Master of the Rolls and Vice-chancellors respectively under this Act, and the proceedings thereon, and for determining in what cases and under what conditions and restrictions the determinations of the Master of the Rolls and Vice-chancellors respectively upon or in relation to such applications shall be subject to appeal, and the fees and allowances to solicitors of the Court of Chancery, and the fees to be payable in money or by stamps to the officers of the said court in respect of such applications and proceedings thereon; and such rules and orders may from time to time be varied by the like authority, and such rules and orders shall be deemed general orders of the said court (*k*).

(*k*) See sect. 45, *infra*, as to orders, &c. regulating proceedings before county courts.

XXXII. Where any charity of which the gross annual income for the time being does not exceed thirty pounds (*l*) shall be established or administered or be applicable wholly or partially to or for objects or purposes within the district or any two or more of the districts of any district court of bankruptcy or of any county court or courts holden under the Act of the session holden in the ninth and tenth years of the reign of Her Majesty, chapter ninety-five, and the appointment or removal of any trustee, or any other relief, order, or direction whatsoever concerning such charity, shall be considered desirable, and such appointment or removal, or other relief, order, or direction, might now be made or given by the Court of Chancery in respect either of its ordinary or its special or statutory jurisdiction, or by the Lord Chancellor intrusted with the care and commitment of the custody of lunatics (*m*), it shall be lawful for any person authorized in this behalf by the order or certificate of the said board, or for the attorney-general, to make application to such district or county court, or, as the case may be, to any one of such district or county courts (*n*), for such order, direction, or relief as the nature of the case may require; and such district or county court shall entertain such application, and shall hear the matter in open court, and shall give such relief, and make such orders and directions in relation to the matter of such application, as might now be made or given by the Court of Chancery or by the Lord Chancellor, intrusted as aforesaid, in a suit regularly insti-

(l) This clause does not apply to charities within the city of London. See s. 30, *supra*.

(m) See *Hill on Trustees*, pp. 468, 469.

(n) See sects. 34, 35, *infra*.

tuted, or upon petition, as the case may require; and the clerk of such county court shall transmit a copy of such order or direction to the office in *London* of the registrar of county courts' judgments, to be there enrolled: provided always, that no judge of any district or county court shall be authorized to vary any decree, order, or direction of the Court of Chancery, or of any judge thereof, or to make or give any order or direction inconsistent or conflicting with any such decree, order, or direction; provided also, that where two or more district or county courts shall have concurrent jurisdiction with respect to any charity under this Act, no application in respect of such charity shall be made to or entertained by more than one of such district or county courts at the same time (o).

Deputy sitting for county court judge not to exercise jurisdiction under this Act.

XXXIII. The jurisdiction hereby created and conferred on the county courts with respect to any charity shall not be exercised by any deputy or other person who may for the time being be appointed to sit and shall be sitting for any such judge.

Where two or more district or county courts have concurrent jurisdiction, board to direct to which court applications shall be made.

XXXIV. Where two or more district courts of bankruptcy or county courts shall concurrently have jurisdiction under this Act with respect to any charity, it shall be lawful for the said board to order to which of such courts any application with respect to such charity shall be made; and every such order shall be conclusive as to the jurisdiction with respect to the application referred to in such order.

Board may direct cases within the jurisdiction of a district

XXXV. It shall be lawful for the said board to direct that any application as to any charity within the jurisdiction of any district court of bankruptcy

(o) See sect. 84, *infra*.

or county court shall be made before a judge of the Court of Chancery, or as to any charity within the jurisdiction of the Court of Chancery of the county palatine of *Lancaster*, either before the Chancellor or the Vice-chancellor of the same county palatine, or before a judge of the High Court of Chancery, according to the provisions herein contained applicable to a charity the gross annual income whereof exceeds thirty pounds, and in such case such application shall be made and may be heard and determined accordingly, in like manner as if the gross annual income of such charity exceeded thirty pounds; and upon the production of the order or certificate containing such direction, or of a copy thereof, the application with respect to which such order or certificate shall have been made shall not be entertained or proceeded with by such district or county court.

or county court to be taken before a judge of the Court of Chancery in the first instance.

XXXVI. Whenever any order or decision is made by any district court of bankruptcy or county court for the appointment or removal of any trustee of any charity, or approving of any scheme for regulating or directing the administration of any charity, or the estate, funds, property, or income thereof, a copy of every such order or decision shall immediately upon the making thereof be delivered or transmitted by the deputy registrar of such district court or by the clerk of the county court, as the case may be, together with all requisite particulars, to the said board, for the purpose of being considered by them; and no such order or decision shall be valid or effectual until the same shall have been approved by the said board, such approval to be

No order of district or county court for the appointment or removal of trustees or approval of a scheme to be valid unless confirmed by board.

testified by a certificate in writing, signed by the secretary of the said board, and no such approval shall issue from the said board until one calendar month shall have elapsed after the receipt by the board of such copy and particulars.

Board, if dissatisfied with the order of district or county court, may remit the case for reconsideration, or may transfer the matter to a judge of the Court of Chancery.

XXXVII. In case any such order or decision as last aforesaid of any district court of bankruptcy or county court shall not be approved by the said board, it shall be lawful for such board to remit the same for reconsideration and decision by such district or county court, with such remarks and recommendations thereon (if any) as shall seem fit and expedient to such board, or, in the discretion of the board, to order and direct that the subject matter to which such order or decision relates, together with such order or decision, shall be submitted to the consideration and decision of a judge of the Court of Chancery, and in such last-mentioned case no further proceedings shall be had or taken in the district or county court with respect to the matter in question; and in case the order or decision of the district or county court, on the reconsideration of any order or decision so remitted for reconsideration be disapproved as aforesaid by the said board, such board shall refer such orders and decisions, and the subject matter thereof, to a judge of the Court of Chancery, or as to any charity within the jurisdiction of the Court of Chancery of the county palatine of *Lancaster*, either to the Chancellor or the Vice-chancellor of the same county palatine, or to a judge of the High Court of Chancery; and where any order or decision is referred to a judge of the Court of Chancery, or of the Court of Chancery of the said

county palatine of *Lancaster*, under this provision, such judge shall have and exercise all such jurisdiction, power, and authority in relation thereto as in the case of a charity the gross annual income whereof exceeds thirty pounds, and may make such order in relation to the matter of such order or decision as to him may seem proper.

XXXVIII. Subject to any orders to be made by the Lord Chancellor as hereinafter mentioned, and to the other provisions of this Act, all proceedings to be taken in any district court of bankruptcy or county court, and all orders and directions to be made or given by any such district court or county court by virtue of the jurisdiction hereby created and conferred on such court, shall respectively be subject to the same rules and regulations, and have the same effect, and be registered, enforced, and executed in the same manner as the other proceedings, orders, judgments, and directions of the same court under its ordinary jurisdiction (*p*), and it shall be lawful for any such district court or for any county court, with the consent of the board, to rescind or vary any order which shall have been previously made by such court, without prejudice to any act or matter in the meantime done under such order; and for executing and putting in force any order to be made by any county court under this Act, every judge of any such court shall and may have and exercise all such powers as by the Act of the session holden in the ninth and tenth years of

How orders
of district or
county court
under this
Act to be
enforced.

(*p*) See 5 & 6 Vict. c. 122; 7 & 8 Vict. c. 96; and 12 & 13 Vict. c. 106.

Her Majesty, chapter ninety-five, are given for enforcing the payment of any debt, damages, or costs under the said Act (q).

Appeal.

XXXIX. Where any person authorized to make any application under this Act, (other than Her Majesty's attorney-general acting *ex officio*,) or any other person who may have been made a party to any proceeding upon any application under this Act, is aggrieved by or dissatisfied with any order made by any district court of bankruptcy or county court upon any such application, or any proceeding thereon, he may, within one calendar month after the making of such order, give notice in writing to the said court, and also to the said board, that he is desirous to appeal against the same; and if the said board think it reasonable and proper that such appeal should be entertained, and give a certificate to that effect, such district or county court shall suspend any proceedings upon the order appealed against during such time as the circumstances may require; and the said board, if they so think fit, may require the person giving any such notice of appeal to become bound with two sufficient sureties, to be approved by the deputy registrar of such district court, or by the clerk of the county court, as the case may be, to the treasurers of the said courts respectively, or such other person as the said board may see fit, in such sum as to the said board shall seem reasonable, to pay such costs of the proceedings on the appeal as shall be ordered to be paid by such appellant, and also (if the said board so think

(q) See ss. 84, 86, 94, 96.

fit) to indemnify the charity against the costs and expenses of or attending such appeal; and every bond executed under this provision shall be exempt from stamp duty: provided always, that it shall be lawful for Her Majesty's attorney-general (acting *ex officio*), at any time within three calendar months after the making of any order by a district court or county court under this Act, to lodge and commence and prosecute an appeal against such order, without giving any such notice or becoming bound as aforesaid, and every such last-mentioned appeal shall thereupon be allowed by the order of such district or county court, and shall have such other effect as any other appeal under this Act.

XL. When any order allowing an appeal has been made as aforesaid, the person thereby allowed to appeal shall within three calendar months present a petition to the Court of Chancery, setting forth the order appealed against, and the order allowing such appeal, and praying such relief as the case may require; and upon the hearing of such petition the court may confirm, vary, or reverse the order appealed against, or may remit such order to the district court of bankruptcy or county court by which the same was made, with or without any declaration or directions of the Court of Chancery in relation thereto, or may proceed in relation to the charity to which such order relates as in the case of an application under this Act to a judge of the Court of Chancery at chambers, and any judge of such court sitting at chambers or in open court may make or give any such orders or directions in relation to the matter of such order as he may see

Proceedings
on appeal.

Bond to prosecute appeal may be put in suit.

fit, or the court may make such other order in relation to the matter of any such appeal as to the court may seem just, and as might be made in the case of a suit regularly instituted, or a petition, as the case may require; and in case the party allowed to appeal do not within such three calendar months present such petition of appeal, the order against which such appeal was allowed shall be final; and in case any costs adjudged on any such appeal to be paid by the party allowed to appeal be not paid, such bond as aforesaid may be put in suit, and the money to be recovered on every such bond shall be applied to indemnify the charity estate, or the person damaged, or otherwise in such manner as the justice of the case may require and the court or judge by whom such appeal may have been heard shall think fit.

No Chancery judge, or district or county court, in proceedings under this Act to try titles, &c.

XLII. Provided always, that no judge of the Court of Chancery, nor any district court of bankruptcy or county court, shall upon any proceedings under this Act have jurisdiction to try or determine the title at law or in equity to any real or personal property, or any term or interest therein, as between any charity, or the trustees thereof, and any person holding or claiming such real or personal property, term, or interest adversely to such charity, or to try or determine any question as to the existence or extent of any charge or trust.

Notice to be published of application for schemes or appointment or removal of

XLII. Before any application shall be made to any judge of the Court of Chancery, or to any district court of bankruptcy or county court, under any of the provisions herein contained for the

establishment or alteration of a scheme or the appointment or removal of any trustees or trustee, notice in writing of such intended application shall be given in such form and manner as the said board shall have directed; and if the order be that such notice be affixed to or near the door of any parish or district church, the incumbent and churchwardens of such parish or district are hereby respectively required to allow such notice to be affixed and to remain so affixed during such period, not less than fifteen days, as the said board shall have ordered; and in any case in which the order shall be that such notice shall be affixed to any place, evidence that the same has been so affixed shall be deemed and taken as *prima facie* evidence that it has remained affixed during the period prescribed by the board.

XLIII. Every application to any judge or court under the jurisdiction created or conferred by any of the provisions of this Act, may be made by Her Majesty's attorney-general, or, subject to the provisions aforesaid, by all or any one or more of the trustees or persons administering or claiming to administer, or interested in, the charity which shall be the subject of such application, or any two or more inhabitants of any parish or place within which the charity is administered or applicable; and it shall be lawful for Her Majesty's attorney-general for the time being, acting *ex officio*, to make application by petition to the Court of Chancery with respect to any charity under the provisions of the Act passed in the fifty-second year of King George the Third, chapter one hundred and one, or under

trustees
under this
Act.

By whom
applications
may be
made.

Attorney-
general may
petition
under 52 G. 3,
c. 101.

the provisions of any Act or Acts passed or to be passed authorizing the application to the same court by petition according to the provisions of the said Act(r).

Statement in certificate of board of the amount of income of any charity to be sufficient evidence for determining the jurisdiction or proceedings under this Act.

XLIV. For the purposes of determining the jurisdiction under this Act with respect to any charity, or the right to appeal from the determination of a judge of the Court of Chancery, it shall be lawful for the said board to declare, according to such judgment as they may be able to form upon the returns or statements before them in relation to any charity, whether the gross annual income for the time being of such charity does or does not exceed thirty pounds or one hundred pounds (as the case may require), and a statement in any certificate or order of the said board that according to such judgment as aforesaid the gross yearly income of any charity does or does not exceed thirty pounds or one hundred pounds shall be sufficient evidence of the amount of the gross annual income of such charity, for the purpose of determining such jurisdiction or right to appeal as aforesaid; and any certificate or order made by the said board under this Act, authorizing any proceeding or application concerning any charity to be taken or made to any district court of bankruptcy or county court or to the Court of Chancery or any judge thereof, shall state that the gross annual income for the time being of such charity does not exceed thirty pounds, or does exceed thirty pounds (as the case may be): provided always, that where any charity, or the trustees thereof, in addition to the principal endowment for

Provide as to particular endowments.

(r) 3 & 4 Vict. c. 77 (Grammar Schools Act), s. 21.

its general objects and purposes, shall be possessed of or entitled to any other endowment for any particular or special object or purpose arising out of or in its nature or application connected with the general objects or purposes of such charity, it shall be lawful for the said board, having regard to the circumstances of each such case, and to the object and extent of the proposed application and litigation, to determine whether such endowment for such particular or special object or purpose should, for the purposes of jurisdiction and proceedings under this Act, be considered and treated as forming part of the general endowment of the charity, or as a separate or independent charity, and such board shall frame their certificate or order accordingly.

XLV. The Lord Chancellor shall make such orders for regulating proceedings by and before the judges of district courts of bankruptcy and county courts under this Act, and for fixing and determining the fees to be taken in respect of such proceedings, as he may see fit; and, subject to such orders, such judges may regulate the proceedings before them respectively so as to render them as summary and inexpensive as conveniently may be (s).

Lord Chancellor to make orders for regulating proceedings before district and county courts, and, subject thereto, judges to regulate proceedings.

XLVI. Nothing herein contained shall diminish or detract from any right or privilege which by any rule or practice of the Court of Chancery, or by the construction of law, now subsists for the preference or the exclusive or special benefit of the church of England, or the members of the same church, in settling any scheme for the regulation of any

Reservation of rights and privileges of Church of England with respect to charities.

(s) See sect. 31, *supra*, as to orders, &c. regulating proceedings before Chancery judges.

charity, or in the appointment or removal of trustees, or generally in the application or management of any charity.

Secretary to be treasurer of charities; such treasurer to be a corporation.

XLVII. The secretary for the time being of the said board shall by virtue of his appointment be the treasurer of public charities; and such treasurer shall, for the purposes of taking, holding, conveying, assigning, transferring, and transmitting real property, including leaseholds for lives or years, be a corporation sole by the name of "the treasurer of public charities," and by that name shall have perpetual succession, and plead and be impleaded before all courts, justices, and others.

Land holden upon trust for a charity, subject to jurisdiction of Court of Chancery and of Judge, may be vested in treasurer.

XLVIII. Where any land, or any term or estate therein, holden upon trust for any charity, shall be vested in any persons other than the persons acting in the administration and application of the rents; or where there shall be no trustees thereof, or the trustees, or any of them, shall be unwilling to act, or it shall be uncertain in whom such land, term, or estate shall be vested, or all or any of the persons in whom such land, term, or estate shall be vested, cannot be found, or shall be under age, lunatic, or of unsound mind, (whether found such by inquisition or not,) or otherwise incapable of acting, or shall be out of the jurisdiction or not amenable to the process of the Court of Chancery, or where by reason of the reduced number of trustees or other causes a valid appointment of new trustees cannot be made, or where by reason of the expenses incident to the appointment of new trustees, and the conveyance or assignment of such land, term, or estate to

such new trustees, it shall appear to the Court of Chancery, or to any judge of such court or of any court having jurisdiction with respect to such charity under this Act, desirable so to do, such court or judge may order that such land, term, or estate be vested in such treasurer, and thereupon the same shall vest in such treasurer and his successors for all the estate and interest holden in trust for the charity as aforesaid, without any conveyance or assurance thereof; but no such vesting order as aforesaid shall be made in respect of any land or term or estate as aforesaid, holden in trust as aforesaid, vested in a corporation, without the consent of the corporation; and no such vesting order shall take effect in respect of any copyhold land without the consent of the lord of the manor; and the Court of Chancery, or such judge, may direct such periodical or other payment, as such court or judge may think fit, to be made to the lord of the manor, in compensation for fines or other profits which would have become due upon death or admittance of tenants. Proviso.

XLIX. It shall be lawful for any court or judge by whom respectively any such vesting order may have been made, or for any other court or judge having jurisdiction in the matter, if it shall so seem fit to such court or judge, from time to time to order that all or any part of the land term, or estate which shall for the time being be vested in the said treasurer by virtue of any such vesting order as aforesaid, shall be divested, and that the same shall be vested in the acting trustees or trustee for the time being of the charity; and such last-mentioned order shall operate to vest such land Orders may be made re-vesting land, &c. in the trustees of the charity.

term and estate in the trustees or trustee therein named without any conveyance or assurance.

Treasurer to
be a bare
trustee.

L. Subject to the orders and directions of the Court of Chancery or of any such judge, such treasurer shall be deemed a bare trustee, and shall permit the persons acting in the administration of the charity to have the possession, management, and control of the trust estates, and the application of the income thereof, as if the same had been vested in them.

Judge may
order trustees,
&c. holding
stock, &c.
belonging to
a charity
subject to his
jurisdiction
to transfer
same to
official
trustees.

LI. The secretary for the time being of the said board, and such other public officer or officers as the Lord Chancellor shall appoint, shall be official trustees of charitable funds, and where trustees or other persons having in their names, or in the name of any deceased person of whom they are representatives, in the books of the Bank of England, or of the East India or South Sea Company, or of any other public company, any annuities, stock, or shares, or holding any government or parliamentary or other securities in trust for any charity, shall be desirous to transfer or deposit the same to or with the said official trustees in trust for such charity, or where any persons shall be desirous of transferring or depositing as aforesaid any annuities, stocks, shares, or securities for discharging any legacy or charge given or made to or for the benefit of any charity, or where it shall appear to the Court of Chancery, or to any judge of such court, or of any district court of bankruptcy, or county court having jurisdiction under this Act, that any annuities, stock, shares, or securities held in trust for any charity

ought, for the purpose of security or convenient administration, to be transferred or deposited as aforesaid, it shall be lawful for such court or judge to order the transfer or deposit of such annuities, stock, shares, or securities to or with such official trustees.

LII. The secretary of the said board shall keep separate accounts of the annuities, stock, shares, and securities belonging to each separate charity, and the said official trustees shall pay the dividends or interest or income thereof to the trustees or persons acting in the administration of such charity, or otherwise dispose thereof, and transfer such annuities, stock, shares, or securities (when occasion shall require), as the Court of Chancery, or any judge of such court, or of any district court of bankruptcy, or county court having jurisdiction under this Act, or other lawful authority shall direct.

Secretary to keep separate accounts of funds of each charity.

LIII. It shall be lawful for any trustees or other persons having the custody of any deeds or muniments of or relating to such charity to deposit the same for security in a repository which may be provided by the said board, subject to any regulations to be made by the said board under this Act.

Trustees may deposit deeds or muniments for security in a repository provided by the board.

LIV. Where upon the application of any trustees or other persons concerned in the management or administration of any charity, or interested in the benefits thereof (and after such examination or inquiry as the board may think necessary in relation thereto), or upon any report of an inspector, or information otherwise obtained by the said board under this Act, with relation to any charity, it shall

Power to board to frame schemes for the appropriation of charitable property to varied trusts.

appear to the said board to be desirable to have a new scheme for the application or management of the charity, and such new scheme as contemplated or considered desirable by the board cannot be, or it shall in the opinion of the board be doubtful whether it can be carried into complete effect by the Court of Chancery, or by any district or county court under the jurisdiction created by this Act, or otherwise than by the authority of parliament, it shall be lawful for the said board in every such case provisionally to approve and certify such new scheme in the manner and subject to the regulations hereinafter mentioned.

Notice to be given before approval of schemes, and objections may be submitted for the consideration of the board.

LV. One month at least before any such new scheme shall be so provisionally approved, notice thereof shall be given in such manner as the board may in each case consider proper or expedient for ensuring due publicity, and every such notice shall contain such particulars of the proposed scheme as the said board think fit, and as shall be deemed by the said board sufficient to show the nature of such scheme, and where the nature thereof cannot conveniently be shown in the said notice, such notice shall refer to some convenient place within the parish or district, and to the office in *London* of the registrar of county courts' judgments, where a copy of the proposed scheme shall be deposited and may be inspected, and every such notice shall require any objections to such scheme to be stated or transmitted to the said board or their secretary within one month from the time when the notice shall have been given.

LVI. If after such notice as aforesaid any objections or suggestions shall be made, the board shall consider the same, and may thereupon, if to them it shall seem fit, alter or modify the scheme according to any such objections or suggestions; and after all such objections and suggestions, if any, have been disposed of, or if no such objections or suggestions shall have been made, the board, in case they shall not think fit to refer such scheme to an inspector under the provision next hereinafter contained, may proceed to approve such scheme, and to certify the same in manner hereinafter mentioned.

Board may alter or modify or approve of schemes.

LVII. Upon the requisition of any person interested in the charity in question (in case the said board after due consideration shall be of opinion that there are sufficient grounds for complying with such requisition), or in any other case, if the said board shall consider it desirable, the matter of any scheme in question may be referred by the said board to one of their inspectors, and such inspector shall thereupon proceed to make a local inquiry and examination into the matter of the scheme in question, and for the purposes of such inquiry, such inspector may hold a sitting or sittings in some convenient place in the parish or one of the parishes or the district to or in which respectively the charity in question is wholly or partially situated or is administered, and may take and receive any evidence and information, and hear and inquire into any objections or questions relating to the scheme or charity in question, and may from time to time adjourn any such sitting, and public notice shall be given by

The matter of schemes may be referred to an inspector for local inquiry.

such inspector of every such sitting (except an adjourned sitting) fourteen days at the least before the holding thereof, in such other mode as in the judgment of the said board shall be sufficient to ensure publicity.

Inspectors to report the result of inquiry to the board.

LVIII. Every inspector to whom any such matter shall be referred shall report in writing to the said board the result of his inquiry, and whether in his opinion the scheme in question should be approved with or without any alteration or modification thereof, and such report shall specify or indicate the alterations (if any) which such inspector shall consider desirable, with the reasons for the same, and also the nature of the objections (if any) which shall have been made to the scheme, and the opinion of the said inspector thereon, and the said board shall consider such report, and if, as the result of such report or after further inquiry, they shall be satisfied therewith, they may proceed to approve the scheme in question either with or without any alteration, and to certify the same in manner hereinafter mentioned.

Schemes when approved to be certified by the board.

Copy of such certificate to be deposited in the parish or district, and notice given.

LIX. Every scheme to be approved by the said board shall be certified by them, and for that purpose shall be embodied in a certificate to be made by the said board, and sealed with their seal; and in every case a copy of such certificate shall be deposited in some convenient place within the parish or one of the parishes or the district in which the charity in question shall wholly or partially be situated or administered, and at the office in *London* of the registrar of county courts' judgments, and a notice

shall also be given, in such manner as the board shall direct, which notice shall refer to the certificate so deposited, and shall state the intention of the board to proceed with the scheme thereby certified.

LX. The said board shall in the month of *February* Annual report to be laid before parliament. in every year make a report to Her Majesty of all their proceedings during the preceding year up to the thirty-first day of *December* then last, and such report shall, within fourteen days after the making thereof, be laid before both houses of parliament, if parliament be then sitting, or otherwise within fourteen days after the meeting thereof; and in such report the said board shall specially distinguish and set forth in full all the schemes (if any) approved by them under the provisions lastly hereinbefore contained, together with the grounds of such their approval, and the objections (if any) which have been made thereto, and all proceedings had in respect of such objections and the grounds on which any such objections have been over-ruled; and in case it shall be enacted by any Act of parliament that any such scheme or schemes so certified shall be confirmed and take effect, either with or without any alterations or modifications thereof respectively, every such Act shall be deemed a Public General Act. Schemes when certified may be carried into effect by Act of parliament.

LXI. The trustees or persons acting in the administration of every charity shall, in books to be kept by them for that purpose, regularly enter or cause to be entered full and true accounts of all money received and paid respectively on account of such charity, and on or before the twenty-fifth day Accounts of trustees of charities to be delivered to the clerks of county courts, clerks of the peace, and to the board.

of *March* in every year, or on or before such other day as shall or may be fixed and appointed for that purpose by the said board, shall cause a statement in writing to be made of the income and revenues, whether actually paid or then due, and the actual receipts and expenditure of such charity for the year ending on the thirty-first day of *December* then next preceding, or on some other convenient day to be fixed and appointed for that purpose by the said board, and also a balance sheet containing a clear statement of the balance of such account, which statement and balance sheet respectively shall be certified under the hand of some one or more of such trustees or persons (and audited by the auditor of such charity, if any there be); and as to every charity whose gross annual income for the time being shall not exceed thirty pounds, every such statement and balance sheet respectively, or a duplicate or true copy thereof respectively, shall be delivered or sent by such trustees or persons free of charge to the clerk of the county court or some one of the county courts (if more than one) to whose jurisdiction such charity may be subject under this Act (in case such charity be subject to the jurisdiction of any county court under this Act), or if such charity be not subject to the jurisdiction of any county court, then to the clerk of the county court for the district or any one of the districts (if more than one) wherein or nearest adjoining whereto such charity is established, or the property thereof (in whole or part) is situate or administered and distributed; and as to every charity whose gross annual income for the time being shall exceed thirty pounds, every such statement and balance

sheet, or a duplicate or true copy thereof respectively (unless the said board shall otherwise direct), shall be delivered or sent free of charge to the clerk of the peace for the county or the division of the county, or some one of the counties or divisions of counties (if more than one) in which the charity is established, or the property thereof is wholly or partially situated or administered and distributed; and every such statement and balance sheet, or a duplicate or true copy thereof respectively, shall be kept and registered without fee or reward by the registrar of county courts' judgments or the clerk of such county court, and the clerk of the peace of such county or division respectively, and shall be open to the inspection of all persons, at all seasonable hours, on payment of the sum of one shilling to the registrar or clerk for every such inspection; and any person may require and have a copy of any such statement and balance sheet, or of any part thereof, paying therefore to such registrar or clerk after the rate of twopence for every seventy-two words or figures; and a duplicate or copy of every such statement and balance sheet to be made according to the foregoing provision, so certified and audited as aforesaid, shall be delivered or transmitted, through the post or otherwise, free of charge, by such trustees or other persons, to the said board, on or before the said twenty-fifth day of *March* in every year, or such other day as may be fixed and appointed by the said board as aforesaid; and the said board may from time to time by any order direct that the statement and balance sheet, or a duplicate or true copy thereof respectively, of the accounts of any charity whose gross annual

income exceeds thirty pounds shall be delivered or sent to the clerk of the county court in the same manner as if the income of such charity did not exceed thirty pounds; and the said board may make and give such further and other orders and directions in relation to the delivery and publication of such accounts, and the form thereof, as they may think fit, which directions and orders shall be obligatory on and obeyed by all such trustees and persons as aforesaid.

Exemptions
from the
operation of
Act.

LXII. This Act shall not extend to the Universities of *Oxford*, *Cambridge*, *London*, or *Durham*, or any college or hall in the said Universities of *Oxford*, *Cambridge*, and *Durham*, or to any cathedral or collegiate church, or to any building registered as a place of meeting for religious worship with the registrar general of births, deaths, or marriages in *England* and *Wales*, and *bonâ fide* used as a place of meeting for religious worship; nor shall this Act, for the period of two years from the passing thereof, extend or be in any manner applied to charities or institutions, the funds or income of which are applicable exclusively for the benefit of persons of the Roman catholic persuasion, and which are under the superintendence or control of persons of that persuasion, nor shall this Act extend or be applied to the commissioners of Queen *Anne's* Bounty, or to the British Museum, or to any friendly or benefit society, or savings' bank, or any institution, establishment, or society for religious or other charitable purposes, or to the auxiliary or branch associations connected therewith, wholly maintained by voluntary contributions, or any book-

selling or publishing business carried on by or under the direction of any society wholly or partially exempted from this Act, so far as such business is or shall be carried on by means of voluntary contributions only, or the capital or stock of such business; and where any charity is maintained partly by voluntary subscriptions and partly by income arising from any endowment, the powers and provisions of the Act shall, with respect to such charity, extend and apply to the income from endowment only, to the exclusion of voluntary subscriptions, and the application thereof; and no donation or bequest unto or in trust for any such charity as last aforesaid, of which no special application or appropriation shall be directed or declared by the donor or testator, and which may legally be applied by the governing or managing body of such charity as income in aid of the voluntary subscriptions, shall be subject to the jurisdiction or control of the said board, or the powers or provisions of this Act; and no portion of any such donation or bequest as last aforesaid, or of any voluntary subscription, which is now or shall or may from time to time be set apart or appropriated and invested by the governing or managing body of the charity, for the purpose of being held and applied or expended for or to some defined and specific object or purpose connected with such charity, in pursuance of any rule or resolution made or adopted by the governing or managing body of such charity, or of any donation or bequest in aid of any fund so set apart or appropriated for any such object or purpose as aforesaid, shall be subject to the jurisdiction or control of the said board or the powers or provisions of this Act;

Provisions as to charities supported partly by voluntary subscriptions.

EXEMPTED CHARITIES MAY COME UNDER ACT.

and nothing in this Act shall subject the funds or property of any missionary or other similar society, or the missionaries, teachers, or officers of such society, or of any branch thereof, which funds or property shall not be within the limits of *England* or *Wales*, to the jurisdiction of the said board: provided always, that the said exemptions shall not extend to any cathedral, collegiate, chapter, or other schools.

Exempted
charities
may petition
commissioners to
have benefit
of Act.

LXIII. It shall be lawful for any of the charities exempted from the operation of this Act, by order or resolution duly made in conformity with the constitution or rules of such charity (and which in that case only shall be binding), to apply by petition to the commissioners to have the benefit of this Act either generally or as to any of the provisions herein contained; and such petition shall be under the seal of such charity if incorporated, and if not, then under the hands of the major part of the trustees and governing body of such charity; and in such case it shall be lawful for the commissioners, if they shall think fit, to make an order in conformity with such application, and such charity shall thenceforth be entitled to and be bound by all the provisions of this Act, if admitted generally thereto or by such of the enactments thereof as shall be mentioned and specified in such order of the commissioners, but in either case in the same manner as if such charity had not been exempted from this Act or such exemption had not extended to the enactments specified in such order.

Disputes
among

LXIV. Provided also, that if any question or

dispute shall arise among the members of any charity exempted from the operation of this Act in relation to any office, or the fitness or disqualification of any trustee or officer, or his election or removal, or generally in relation to the management of the charity, it shall be lawful for two-thirds of the members present at any special meeting, duly convened by notice for the purpose in the same manner in which meetings of such charity are by the rules thereof appointed to be held and convened, to refer such question or dispute to the arbitration of the commissioners, who shall accept such reference and act therein as arbitrators, and their award shall be final, and may be made a rule of Her Majesty's High Court of Chancery.

members of
exempted
charities
may be re-
ferred to
arbitration
of commis-
sioners.

LXV. The legal estate in all lands which at the time of the passing of the Act of the session holden in the fifth and sixth years of King *William* the Fourth, chapter seventy-six, was vested in the body corporate of any borough which became subject to the provisions of the said Act, or in any one or more of the members of such body corporate, in his or their corporate capacity, solely or together with any person or persons elected solely by such body corporate, or solely by any particular number, class, or description of members of such body corporate, in whole or in part in trust or for the benefit of any charitable uses or trusts whatsoever, and which legal estate shall not have been since duly conveyed or assured to and vested in the trustees appointed by the Lord High Chancellor under the provisions of the said Act (u), or such of them as shall be surviving

Legal estate
of lands now
vested in
municipal
corporations
on charitable
trusts to be
vested in
trustees.
5 & 6 W. 4,
c. 76.

(u) See sect. 71 of the 5 & 6 Will. 4, c. 76.

and continuing trustees, or otherwise lawfully conveyed, aliened, or disposed of by such body corporate or member or members thereof, shall from and immediately after the passing of this Act, and without any actual conveyance, assignment, or other assurance thereof, be vested in the trustees so appointed, or such of them as shall be surviving and continuing trustees under such appointment as aforesaid, according to the respective estates and interests therein, and subject to such and the same charges and incumbrances and upon such and the same trusts as the same were respectively subject to previously to such vesting; and in every case, upon the death, resignation, or removal of any of the trustees, and upon any appointment of any new trustee or trustees respectively, the legal estate in the same lands, and in all other lands subject to any such charitable uses or trusts which may for the time being be vested in the trustees or any of them, or in any persons or the heirs or devisees of any person who may have died, resigned, or been removed, shall vest in the persons who after such death, resignation, or removal, and such appointment of such new trustee or trustees respectively, shall continue or be the trustees for the time being, without any conveyance or assurance whatsoever.

Interpre-
tation clause.

LXVI. In the construction of this Act, except where the context or other provisions of the Act may require a different construction, the expression "Court of Chancery" shall mean and include the Master of the Rolls and every judge of the Court of Chancery in *England*; the expression "Lord Chancellor" shall mean and include the Lord

Chancellor of *Great Britain* and the Lord Keeper and Commissioners of the Great Seal of *Great Britain* for the time being; the expression "District Court of Bankruptcy" and "District Court" shall mean and include every district court of bankruptcy established or to be established under the Act of the fifth and sixth years of the reign of Her present Majesty, chapter twenty-two,* or under any other Act or Acts passed or to be passed for the alteration or amendment or the extension of the same Act, or for the establishment of any district court or courts of bankruptcy in *England* or *Wales* (v), and every commissioner or judge of every such district court; the expression "County Court" shall mean and include every county court holden or established or to be holden or established under the Act of the ninth and tenth years of Her Majesty, chapter ninety-five, or any Act or Acts passed or to be passed for the alteration or extension of the same Act (w), and every judge of any such court; the expression "Charity" shall mean every endowed foundation and institution taking or to take effect in *England* or *Wales*, and coming within the meaning, purview, or interpretation of the statute of the forty-third year of Queen *Elizabeth*, chapter four, or as to which, or the administration of the revenues or property whereof, the Court of Chancery has or may exercise jurisdiction; the expression "Trustee" of any charity shall mean and include every person and corporation seised or possessed of or entitled to any real or personal estate, or any

* Sic. Should
be chapter
122.

(v) See 7 & 8 Vict. c. 96; 12 & 13 Vict. c. 106.

(w) 13 & 14 Vict. c. 61; 15 & 16 Vict. c. 54.

interest therein, in trust for or for the benefit of such charity, or all or any of the objects or purposes thereof, and every member of any such corporation; and the expression "the Board" shall mean the said charity commissioners sitting as a board under this Act; and the expression "Endowment" shall mean and include all lands and real estate whatsoever, of any tenure, and any charge thereon, or interest therein, and all stocks, funds, monies, securities, investments, and personal estate whatsoever, which shall for the time being belong to or be held in trust for any charity, or for all or any of the objects or purposes thereof; and the expression "Land" shall extend to and include manors, messuages, buildings, tenements, and hereditaments corporeal and incorporeal of every tenure and description.

Extent of
Act.

LXVII. This Act shall not extend to *Scotland* or *Ireland*.

Short title.

LXVIII. This Act may be cited as "~~The Charitable~~ Trusts Act, 1853."

INDEX.

ACCOUNTS,

- trustees, &c., of charities to render, and statements to board, 35.
- refusing to do so to be guilty of a contempt of court, 37.
- secretary of board to keep separate, of the funds in hands of official trustees, 65.
- to be kept by trustees, &c., of money received and paid on account of charity, 69.
- and statement of the income and expenditure to be made out, 70.
- together with a balance sheet, 70.
- the same to be certified by said trustees, &c., 70.
- and audited by the auditor (if any), 70.
- and to be sent to the clerk of the county court, 70.
- to whose jurisdiction charity is subject, 71.
- but if not subject to any, then to the clerk of the nearest court, 70.
- if the income thereof does not exceed 30*l.*, 71.
- but if it exceeds that sum then to the clerk of the peace for the county in which charity is established, &c., 71.
- statement and sheet to be registered by such clerks respectively, 71.
- and by registrar of county courts' judgments, 71.
- and open to inspection on payment of 1*s.*, 71.
- and a copy may be had thereof upon payment of fee, 71.
- a duplicate of the same to be sent to board, 71.
- board may direct statement, &c., to be sent to clerk of district or county court as well as to clerk of the peace, 72.
- and give other directions in respect thereof, 72.

ACT,

- not to extend to Scotland or Ireland, 78.
- meaning of words in, 76.
- schemes may be carried into effect by, 69.
- every such Act to be deemed a public general Act, 69.
- charities exempt from, 72.

ADVICE,

- board to entertain applications for, respecting charities, 38.
- upon application of trustees, &c., 38.
- and may give the same as they think fit, 38.

ADVICE—continued.

- subject to any judicial order subsequently made, 38.
- such advice to be in writing signed by two or more commissioners, 38.
- and sealed with their seal, 38.
- and every person acting in accordance therewith to be deemed to have acted in accordance with trust, 38.
- so far as respects his own responsibility, 38.
- and no judicial order to have any retrospective effect, 38.
- no trustee, &c., indemnified if guilty of fraud in obtaining advice, 39.
- local inquiries may be directed by inspector before giving, 41.

APPEAL,

- decision of Master of the Rolls, &c., not subject to, where income of charity under 100*l.* per annum, 49.
- unless otherwise provided by rules made by Lord Chancellor, 49.
- Lord Chancellor to make general orders as to, 50.
- may be made from order of district or county courts, 56.
- by giving notice of, to such court and board, 56.
- within one calendar month after order made, 56.
- proceedings under the order to be suspended, if board allow appeal, 56.
- appellant to become bound to treasurer of court with two sureties, 56.
- to be approved of by deputy registrar of district court, 56.
- or by clerk of county court, 56.
- for costs to be paid by him, 56.
- and the costs of the charity if the board think fit, 57.
- Attorney-General may, at any time without giving notice or bond, 57.
- appellant must petition the Court of Chancery within three calendar months after allowance of appeal, 57.
- if not, order made to be final, 58.
- order appealed against may be varied, &c., 57.
- or referred back for reconsideration, 57.
- or treated as an original application to be heard at chambers, 57.
- if costs not paid by appellant he may be sued on bond, 58.
- certificate of board as to income of charity to be evidence as to the right to, 60.

APPLICATIONS,

- to any judge or court may be made by Attorney-General, 59.
- or by any trustee, 59.
- or any two inhabitants of the parish, 59.
- may be made to Court of Chancery by Attorney-General by petition, 59.

APPLICATIONS—*continued*.

- as to schemes may be made by trustees of charities, 65.
- or other persons concerned in the management thereof, 65.

ARBITRATION,

- disputes among members of charity exempted from Act
may be referred to, of commissioners, 75.
- in relation to any office, 75.
- or fitness, &c., of any trustee or officer, 75.
- or his election or removal, 75.
- or generally in relation to the management of the charity,
75.
- consent of two-thirds of the members present at a meeting
necessary, 75.
- commissioners shall accept the reference, 75.
- their award to be final, 75.
- and may be made a rule of the Court of Chancery, 75.

ATTORNEY-GENERAL,

- acting *ex officio* may commence legal proceedings without
notice to board, 40.
- fiat or allowance of, necessary in certain cases, 40.
- board may certify cases to the, 42.
- who may thereupon institute proceedings, 42.
- may apply to equity judge at chambers where income of
charity exceeds 30*l.*, 59.
- or to district court of bankruptcy or county court in
other cases, 51, 59.
- may appeal from order of district or county court, 57.
- without giving notice to court or board or giving a bond, 57.
- may petition under 52 Geo. 3, c. 101, 59.
- or other Acts passed authorizing applications by petition,
60.

BANKRUPTCY, DISTRICT COURTS OF. See **COUNTY COURT,**

- meaning of words in Act, 77.

BOARD,

- meaning of word in Act, 78.
- commissioners to sit as a, 33.
- two commissioners to form a, 33.
- to frame general minutes for regulation of their pro-
ceedings, 34.
- and those of inspectors, 34.
- and concerning applications to, 34.
- minutes of proceedings of, to be entered in books, 34.
- and signed by the secretary, 34.
- to inquire into condition, &c. of charities in England and
Wales, 34.
- and the management thereof, 34.
- may cause such inquiries to be made by the inspectors, 35.

BOARD—*continued.*

- who are to report their proceedings to the, 35.
- may require accounts, &c. from trustees of charities, 35.
- and copies of enrolments, decrees, &c. relating to charities, 35.
- may authorize inspector to examine trustees, &c., 36.
- and to search registers and records, 36.
- to have no power over persons claiming adversely to charities, 37.
- to entertain applications for advice respecting charities, 38.
- or the administration thereof, or the funds thereof, 38.
- or any dispute relating to the same, 38.
- and give the same in writing signed by two commissioners, &c., 38.
- and persons acting thereupon to be indemnified, 38.
- if not guilty of fraud, 39.
- notice of legal proceedings against charities to be given to, 39.
- except where party claims adversely to the charity, 40.
- or the Attorney-General acting *ex officio*, 40.
- who may sanction the same, 39.
- or direct them to be delayed, 39.
- no proceedings to be entertained by any court without order of, 40.
- may direct proceedings to be taken against charities, 41.
- and may cause local inquiries to be made by inspector, 41.
- and his report to be deposited for local inspection, 41.
- and may consider statements, &c. in relation thereto, 41.
- may certify cases to the Attorney-General, 42.
- may sanction building and other leases of charity lands, 42.
- or cutting of timber, 42.
- or making new roads, sewers, &c., 42.
- or other improvements or alterations, 43.
- by order under their seal, 43.
- although the same not authorized by the trust, 43.
- and may authorize application of charity funds for the purposes, 43.
- or the raising of money by mortgage, 43.
- to be payable by instalments, 43.
- may authorize trustees to remove any officer of charities, 44.
- and charge salary of successor or charity funds with retiring allowance, 44.
- and impose conditions, 44.
- but visitors' consent necessary, 44.
- may compromise claims on behalf of charity with consent of trustees, 44.
- may authorize sale or exchange of charity lands, 45.
- and give directions for investment of monies arising therefrom, 45.

BOARD—continued.

may authorize sale of rents-charge payable to charity, 45.
 or redemption of rent-charge, 46.
 and give directions for investing the money arising there-
 by, 46.

may sanction purchase of lands for building purposes
 from owners under disability, &c. 46.

authority of, necessary for proceedings before Master of
 the Rolls, &c., 47.

or before district court of bankruptcy or county court,
 48.

where two such courts have jurisdiction, to direct to
 which application is to be made, 52.

or direct application to be made before judge of the Court
 of Chancery in first instance, 53.

approval of, necessary to orders of district or county
 court as to schemes, 53.

or removal or appointment of trustees, 53.

copy of order to be sent to, 53.

their approval not to issue till one month after receipt of
 such order, 54.

if dissatisfied with such order, may direct the matter to
 be referred to judge of Court of Chancery, 54.

or remit the case for reconsideration, 54.

notice of appeal from order of district or county court to
 be given to, 56.

within one calendar month after the making of order, 56.

except on appeal by Attorney-General, 56.

may sanction same, 36.

and require a bond to be given by appellant, 56.

for his own costs, and also if they think fit for those of
 the charity, 56.

notice to be previously given of applications for schemes,
 as directed by, 58.

or for appointment or removal of trustees, 59.

certificate of, to be evidence for determining jurisdic-
 tion, 60.

may treat particular endowment as forming part of the
 charity, 61.

or as a separate charity, 61.

may provide repository for title deeds of charities, 65.

may provisionally approve schemes for charities, 65.

upon application of trustees, &c., 65.

and after examination instituted by, 65.

or upon report of inspector or other information, 65.

if same cannot be carried into effect by Court of Chan-
 cery, &c., 66.

or jurisdiction created by this Act, 66.

BOARD—*continued.*

- notice to be given before approval of scheme as directed by, 66.
- to contain particulars of scheme, 66.
- or state where same can be seen, 66.
- and require objections to be sent to, within one month, 66.
- may alter or modify or approve of scheme, 67.
- upon consideration of objections (if any), 67.
- or may refer the matter to an inspector for local inquiry, 67.
- who is to report the result to the, 68.
- after considering report, may approve the scheme with or without alteration, 68.
- and certify same under their seal, 68.
- and deposit a copy in the parish or district where charity situate, 68.
- and at the office in London of the registrar of county courts' judgments, 68.
- and shall direct notice to be given of their intention to proceed with the scheme, 69.
- in the month of February in every year to make a report to the Queen, 69.
- which shall be laid before parliament fourteen days after making thereof, 69.
- or after meeting of parliament, 69.
- to set forth therein all schemes approved by them, &c., 69.
- statement and balance sheet of charity accounts to be sent to, 71.
- may direct statement, &c. of charities, with incomes exceeding 30*l.* to be sent to clerk of county court, 72.
- and give other directions in respect thereof, 72.
- may admit exempted charities to benefit of Act, 74.
- upon their petition in accordance with a resolution duly made, 74.
- certain disputes among members of exempted charities may be referred to, 75.
- with the consent of two-thirds of the trustees, &c., 75.
- board shall act as arbitrators, 75.
- their award to be final, and may be made a rule of the Court of Chancery, 75.

BOND,

- may be required from appellant from order of district or county court, 56.
- to be free from stamp duty, 57.
- to be given to treasurer of court, or person appointed by board, 56.

BOND—*continued.*

- to be with two sureties to be approved of by deputy registrar of district court, 56.
- or by clerk of county court, 56.
- Attorney-General may appeal without giving, 57.
- may be put in suit if costs not paid, 58.

BOOKSELLING BUSINESS,

- carried on by any society wholly or partially exempted from Act, to be exempt from Act, 73.
- so far as same is carried on by means of voluntary contributions only, 73.
- or the capital or stock of such business, 73.

BRITISH MUSEUM,

- exempted from Act, 72.

BUILDING,

- board may sanction building leases, 42.
- and also purchase by trustees for purposes of, for use of charity, 46.

CATHEDRAL,

- cathedral church exempt from Act, 72.
- school within operation of Act, 74.

CERTIFICATES,

- made by board to be entered in books, 34.
- entries of, to be signed by secretary, 34.
- copies of, to be received in evidence, 34.
- of board as to income of charity to be evidence as to jurisdiction, 60.
- of schemes to be deposited within the parish or district, 68.
- and at office in London of registrar of county courts' judgments, 68.

CHAMBERS,

- jurisdiction given to Vice-Chancellors, &c. at, 48.
- general orders to be made as to procedure there, 50.

CHANCERY, COURT OF,

- meaning of words in Act, 76.
- district and county court to have same jurisdiction as, 51.
- so also Master of the Rolls, &c., at chambers, 48.
- may direct charity lands to be vested in treasurer, 63.
- and transfer of stock to official trustees, 64.

CHARITABLE PURPOSES,

- society, &c., established for, exempted from Act, 73.
- if wholly maintained by voluntary contributions, 73.

CHARITIES,

- meaning of word in Act, 77.

CHARITIES—*continued.*

- board to inquire into condition of, in England and Wales, 34.
- and the management thereof, 35.
- may require accounts from trustees of, 35.
- officers having records, &c., relating to, to furnish copies, 35.
- persons claiming adversely to, not to be required to give information, &c., 37.
- board to entertain applications for advice as to, 38.
- and may give the same in writing signed by two commissioners, &c., 38.
- notice of any legal proceedings against, to be given to board before commencing same, 39.
- except where party claims adversely to the charity, 40.
- or by the Attorney-General acting *ex officio*, 40.
- board may proceed against, without any such notice, 41.
- estate of, may be improved by order of board, 42.
- and monies of, applied for the purpose, 43.
- officers of, may be removed with consent of board, 44.
- and revenues of, charged with retiring allowance, 44.
- claims on behalf of, may be compromised by board, 44.
- with the consent of the trustees, 44.
- and the same to be a bar to such claims, 45.
- sale or exchange of lands of, may be made by order of board, 45.
- board may authorize redemption of rent-charge payable to, 45.
- and the redemption of any rent-charge to which the charity estate is liable, 46.
- lands may be purchased from owners under disability, &c., for building purposes of, 46.
- having incomes above 30*l.* per annum, to be under jurisdiction of Master of the Rolls, &c., at chambers, 47.
- or of Chancellor and Vice-Chancellor of duchy of Lancaster, 49.
- their decision to be final where income of, under 100*l.*, 49.
- in London, of any income, to be under same jurisdiction, 50.
- having income not exceeding 30*l.*, to be under jurisdiction of district court of bankruptcy, or county court, 51.
- except where board may direct otherwise, 52.
- or where dissatisfied with order of district or county court, 52.
- bond may be required to indemnify, from costs of appeal, 57.
- by whom applications in respect of, may be made, 59.
- certificate of board sufficient evidence as to income of, 60.

CHARITIES—*continued.*

in management of, rights, &c., of Church of England reserved, 61.

secretary of board to be treasurer of, 62.

lands holden in trust for, may be vested in such treasurer, 62.

in certain cases, 62.

and may be revested in trustees of, 63.

stock, &c., of, may be transferred to official trustees, 64.

in certain cases, 64.

title deeds of, may be deposited with the board, 65.

board may frame schemes for, 66.

accounts of, to be sent to clerks of the peace if income exceeds 30*l.*, 71.

or to clerk of county or district court if otherwise, 70.

or if board direct, 71.

and also to be sent to the board, 71.

certain charities exempted from operation of Act, 72, 73.

but the same may apply to have the benefit thereof, 74.

either generally or partially, 74.

and thereupon commissioners may comply with such request, 74.

certain disputes among members of exempted, may be referred to arbitration of commissioners, 75.

where award shall be final, 75.

supported in part by voluntary subscriptions exempted from Act as to that part, 73.

CHURCH,

cathedral or collegiate, exempt from Act, 72.

CHURCH OF ENGLAND,

rights, &c., of, to be reserved in settling schemes, 61.

and in appointment and removal of trustees, 62.

and generally in relation to the charity, 62.

CLERK OF THE PEACE,

accounts, &c., of charities, with income above 30*l.*, to be sent to, of the county in which same is established, 71.

and of other charities, if board direct, 71.

to give copy of same on payment of fee, 71.

and allow inspection of same, 71.

COLLEGE,

collegiate church exempt from Act, 72.

also colleges in University of Oxford, Cambridge, or Durham, 72.

COMMISSIONERS. See **BOARD.**

four commissioners to be appointed, 31.

upon any vacancy another to be appointed, 31.

three of the, to hold office during good behaviour, 32.

the fourth, during the Queen's pleasure, 32.

COMMISSIONERS—*continued.*

- the three, to have salaries, 32.
- and two of them to be barristers, 32.
- one of such barristers to be chief commissioner, 32.
- to appoint clerks and messengers, 32.
- who are to hold office during pleasure of, 32.
- salaries of commissioners, 32.
- after March, 1857, only two to be paid salaries, 33.
- paid, not to have a seat in the House, 33.
- style of, 33.
- to have a seal, and sit as a board, 33.
- two, to form a board, 33.
- minutes of board to be signed by three, 34.

COMPROMISE,

- claims in respect of charities may be compromised by
board, 44.
- with consent of the trustees, &c., 44.
- upon submitting statement to board, 44.
- upon performance of terms of, same to be a bar to all
actions, &c., 45.

COPYHOLD,

- compensation to be made to lord of manor where lands
to be vested in treasurer are, 63.
- and his consent necessary for such vesting, 63.

CORPORATION. See **MUNICIPAL CORPORATION.**

- treasurer of public charities to be a, 62,
- if charity lands are vested in a, their consent necessary to
same being vested in treasurer, 63.

COUNTY COURT,

- meaning of words in Act, 77.
- and district courts of bankruptcy to have jurisdiction over
charities with income not exceeding 30*l.*, 51.
- who are to hear the matter in open court, 51.
- and have same jurisdiction as courts of equity, 51.
- order of, to be sent to office of registrar of county courts'
judgments, 52.
- and there enrolled, 52.
- not to vary order of Court of Chancery, 52.
- or give any decision inconsistent therewith, 52.
- where two or more have jurisdiction, application to be
entertained by one court only, 51.
- and board may direct to which, application is to be made,
52.
- deputy judge of, not to exercise jurisdiction, 52.
- cases within jurisdiction of, may be referred to the other
jurisdiction in first instance, 53.
- where board so order, 53.

COUNTY COURT—*continued.*

- order of, as to removal or appointment of trustees, and as to schemes not valid unless confirmed by board, 53.
- copy of any such order to be sent to board, 53.
- such order may be referred back for reconsideration, 54.
- orders, &c., of, to be enforced as orders made under usual jurisdiction, 55.
- subject to order made by Lord Chancellor, 55.
- and may be varied, &c., 55.
- and powers given by 9 & 10 Vict. c. 95, may be put in force for enforcing orders of, 55.
- orders of, may be appealed from by consent of board within one month from making thereof, 56.
- if they think proper, and give a certificate, 56.
- and thereupon proceedings under the order to be suspended, 56.
- notice of appeal to be given to board, and to, 56.
- and party appealing may be required to give security by bond to treasurer of, 56.
- with two sureties, to be approved of by deputy registrar of district court, 56.
- or clerk of county court, 56.
- for payment of appellant's costs, &c., 56.
- such bond to be free from stamp duty, 56.
- and be given to treasurer of court, 56.
- Attorney-General may appeal at any time from order of, 57.
- without giving notice or bond, 57.
- proceedings on appeal from, 57.
- order of, may be reversed, 57.
- or remitted back for consideration of, 57.
- or proceeded with as if an application at chambers, 57.
- order of, if not appealed against within three calendar months from allowance of appeal to be final, 58.
- title to property not to be tried by, under jurisdiction given by Act, 58.
- public notice of application to, for schemes to be given, 59.
- as also for the appointment or removal of trustees, 59.
- in such form as board may direct, 59.
- applications to, under jurisdiction given by Act may be made by Attorney-General, 59.
- or any trustees of charity, 59.
- or any two inhabitants of the parish, 59.
- certificate of board to be evidence as to jurisdiction of, 60.
- general orders may be made for regulating proceedings of, 61.
- and the fees to be taken, 61.
- may make order vesting charity lands in treasurer of public charities, 63.
- in certain cases, 62.

COUNTY COURT—continued.

- and for revealing same in trustees of charity, 63.
- and may order transfer, &c. of stock of charities to official trustees, 64.
- in certain cases, 64.
- and direct the application of the income thereof, 65.
- and the disposition of the fund itself, 65.
- notice as to schemes must refer to the office of the registrar of judgments of, where same can be seen, 66.
- copy of certificate of scheme to be sent to registrar, &c., 68.
- statement and balance sheet of accounts of charities, with income not exceeding 30*l.*, to be sent to clerk of, 70.
- within whose jurisdiction charity is situate, 70.
- and also if income exceeds 30*l.* if directed by board, 71.
- who is to keep and register same, 71.
- and allow same to be inspected on payment of fee, 71.
- and make copies thereof for any person requiring same, 71.
- upon payment of a fee, 71.

DRAINS,

- board may authorize making of, and sewers through charity lands, 42.
- and the raising of money for the purpose by way of mortgage, 43.
- or the application of the charity funds, 43.
- as if same was authorized by trust deed, 46.

DUCHY OF LANCASTER,

- Chancellor and Vice-Chancellor of, to have same jurisdiction as Master of Rolls, 49.
- over charities within their jurisdiction, 49.
- if income exceeds 30*l.* per annum, 49.

ENDOWMENT,

- meaning of word in Act, 78.
- separate, may be treated as being part of charity income for purpose of determining amount thereof, 61.
- or treated as a distinct charity, 61.

ENQUIRIES,

- local enquiries may be directed by board, 35, 41.
- before directing, &c. proceedings or giving advice, 41.
- or approving of scheme, 67.

EXAMINATION,

- inspector by order of board may examine trustees, &c. of charities, 36.
- the giving of false evidence upon any, to be a misdemeanor, 37.

EXAMINATION—*continued*.

trustee, &c. refusing to appear before inspector to be
guilty of contempt of court, 37.
or refusing to render accounts or make answers, 37.

EXCHANGE. See **SALE**.

EXEMPTION,

certain charities exempted from Act, 72.
not to extend to any cathedral, &c. schools, 74.
charities exempted may petition commissioners to have
benefit of Act wholly or partially, 74.
by resolution made in conformity with its constitution, 74.
petition to be under seal of charity if incorporated, 74.
if not under the hand of the major part of the trustees,
&c., 74.
commissioners may by order agree to such petition, 74,
and thenceforth such charity shall be entitled to, and be
bound by Act, 74.
or by such part thereof as specified in order, 74.
disputes among members of exempted charities in rela-
tion to any office, 75.
or fitness of any trustee, &c., 75.
or his election or removal, 75.
or generally in relation to the charity, 75.
may be referred to the arbitration of the commissioners, 75.
with the consent of two-thirds of the members present at
a meeting, 75.
the commissioners shall accept the reference, 75.
and their award shall be final, 75.
and may be made a rule of the Court of Chancery, 75.

FEES,

general orders to be made as to, payable to solicitors and
to officers of court, 50.
and to be taken by district or county court, 61.
copies of documents, &c. to be taken without, 36.
statement, &c. of charity accounts to be registered with-
out, 71.
to be payable on inspection of same, 71.
or the making copy thereof, 71.

FRIENDLY SOCIETY,

exempted from Act, 72.

IMPROVEMENTS,

may be made in charity lands by sanction of board, 42.
and money raised by mortgage for the purpose, or charity
funds applied, 43.
as if authorized by trust deed, 46.

INCOME,

statement of, and balance sheet to be made annually, 70.
 Master of the Rolls, &c. to have jurisdiction of income if
 charity exceeds 30*l.*, 47, 49.
 or under that amount if charity situate, &c. in London, 50.
 if income does not exceed 30*l.* district or county court to
 have jurisdiction, 51,
 except in certain cases, 53:
 certificate of board as to, to be evidence for determining
 jurisdiction, 60.
 particular endowments may be treated as forming part
 of, 61.
 or as being a separate charity, 61.

INSPECTORS,

two inspectors to be appointed, 31.
 upon any vacancy, another to be appointed, 32.
 to hold office during the Queen's pleasure, 32.
 salary of, 33.
 not capable of a seat in the House of Commons, 33.
 board to frame minutes for regulation of proceedings of,
 34.
 to examine into charities, &c. by order of board, 34.
 to report proceedings to board, 35.
 board may require trustees of charities to render accounts
 to, 35.
 by authority of board may examine records, &c., 35.
 without payment of any fee, 36.
 may by authority of board examine witnesses on oath, 36.
 and require them to produce deeds, &c., 36.
 to have no power over persons claiming adversely to
 charities, 37.
 local inquiries ordered by board to be made by, 35, 41.
 their report may be deposited for local inspection, 41.
 the matter of schemes may be referred to, for local inquiry,
 67.
 by order of the board, 67.
 who is to hold sittings in the parish or district, 67.
 receive evidence and hear objections, 67.
 and may adjourn sitting from time to time, 67.
 public notice to be given of each sitting, not being an
 adjourned one, 68.
 in the manner directed by board, 68.
 inspector to report result of inquiry to board, 68.
 with his opinion thereon, 68.
 specifying alterations in his opinion required, 68.
 and stating the objections made to the scheme, 68.

INVESTMENT,

- board to direct, of monies arising from sale, &c. of charity lands, 45,
- or from redemption of rent-charges, 46.

JURISDICTION,

- given to the Master of the Rolls over charities exceeding 30*l.* per annum, 47.
- and also to the Vice-Chancellors, 48.
- sitting at chambers, 48.
- and over charities of any amount in London, 50.
- given to the Chancellor and Vice-Chancellor of the duchy of Lancaster over charities there, 49.
- given to district courts of bankruptcy over charities having income not exceeding 30*l.* per annum, 51,
- and also to county courts, 51.
- deputy judge of county court not to have, 52.
- where two such courts have, board to direct to which application to be made, 52.
- given to either court may be transferred to judge in Chancery, 53,
- statement of board as to income of charity to be evidence for determining, 60.

LAND,

- meaning of the word in Act, 78.
- board may sanction improvements on charity, 42.
- and authorize application of charity funds for the purpose, 43.
- and authorize sale or exchange of charity, 45.
- if advantageous to the charity, 45.
- trustees may purchase, for building purposes, with sanction of board, 46.
- from owners under disability, 46.
- Lands Clauses Consolidation Act incorporated with Act, 47.
- holden in trust for a charity may be vested in treasurer of public charities, 62.
- by order of court, &c. without any conveyance, 63.
- where in other persons than those acting in administration of rents, 62.
- or where there are no trustees, or they are unwilling to act, 62.
- or it is uncertain in whom the, is vested, 62.
- or they cannot be found, or are under disability, 62.
- or out of the jurisdiction of the court, 62.
- or a valid appointment of new trustees cannot be made, 62.
- or it shall appear to the court or judge desirable, 63.

LAND—continued.

- no vesting order to be made without consent of the corporation, if land is vested in them, 63.
- or of lord of manor, if land copyhold, 63.
- compensation to be made to him in lieu of fines, &c., 63.
- land so vested in treasurer may be revealed in trustees of charity, 63.
- by order of court, &c. without any conveyance, 63.
- income of, vested in treasurer, to be applied by the trustees as if vested in them, 64.
- title deeds of, may be deposited for security with the board, 65.
- legal estate in, now vested in municipal corporations on charitable trusts, to be vested in trustees of charity, 75.
- without any conveyance, 76.
- and to vest in succeeding trustees without any assurance, 77.
- as also if vested in any one or more of the corporation solely, 75.
- or together with any person or persons elected by such body, 75.

LANDS CLAUSES CONSOLIDATION ACT,
 certain clauses of, incorporated in the Act, 46.

LEASES,

- board may sanction building and other, 42.
- same to be valid as if authorized by trust deed, 46.

LEGACY,

- of stock given to a charity may be transferred to official trustees, 64.
- by order of court or judge, 64.

LONDON,

- charity situate in, to be under jurisdiction of Master of the Rolls, 50.
- or the Vice-Chancellors, 50.

LORD CHANCELLOR,

- meaning of words in Act, 76.
- may make orders as to procedure under Act, 50, 61.
- and as to fees to be taken, 50, 61.

MASTER OF THE ROLLS,

- and Vice-Chancellors to have jurisdiction at chambers over charities above 30*l.* per annum, 47.
- and over charities in London of any income, 50.
- and over charities with income not exceeding 30*l.* if board direct, 53.
- to have same jurisdiction as Court of Chancery now has, 48.

MASTER OF THE ROLLS—*continued*.

- and to have the same powers as are vested in them by
15 & 16 Vict. c. 80, 48.
- subject to any rules made under the Act, 48.
- their determination final where income of charity does not
exceed 100*l.*, 49.
- unless otherwise provided by general rules, 49.
- they may direct bill, &c., to be filed in the usual way, 49.
- and abstain from acting under powers of this Act, 49.
- Lord Chancellor with consent of, may make general rules
and orders for procedure at chambers, 50.
- and for determining as to appeals, 50.
- and the fees payable, 50.
- certain orders of district or county court may be referred
by board to, 54.
- title to property not to be tried by, under jurisdiction given
by Act, 58.
- public notice of application to, for schemes to be given as
directed by board, 58.
- or for appointment or removal of trustees, 59.
- applications under Act to, may be made by the Attorney-
General, 59.
- or any trustees of charity, 59.
- or any two or more inhabitants of the parish, 59.
- certificate of board as to income to be evidence for deter-
mining jurisdiction, 60.
- may make order vesting charity lands in treasurer of
public charities, 62.
- in certain cases, 62.
- and for revesting same in trustees of charity, 63.
- and may order transfer of stock, &c., of charity to official
trustees, 64.
- in certain cases, 64.
- and direct the application of the income thereof, 65.
- and the disposition of the fund itself, 65.

MINERALS,

- board may sanction raising of, 42.
- and the application of charity funds for the purpose, 43.
- or raising of money by mortgage, 43.

MINES,

- board may sanction leases for working of mines, 42.
- as if authorized by trust deed, 46.

MINUTES,

- commissioners to frame general, 34.
- to be signed by three commissioners, 34.
- copies of all, to be laid before parliament, 34.
- of proceedings of board to be entered in books and signed
by the secretary, 34.

MISSIONARIES,

- copies of all, to be received in evidence, 34.
- Act not to extend to the property of any missionary or similar society, 74.
- or the missionaries or officers thereof, 74.
- where the funds thereof are not within England or Wales, 74.

MORTGAGE,

- board may sanction borrowing on, for certain purposes, 43.
- loan to be repaid by instalments within thirty years, 43.
- as if authorized by trust deed, 46.

MUNICIPAL CORPORATIONS,

- legal estate of lands now vested in, on charitable trusts, to be vested in trustees appointed under 5 & 6 Will. 4, c. 76, 75.
- or of any one or more of such corporation solely, 75.
- or together with any person or persons elected by such corporation, 75.
- to be vested after passing of Act without any conveyance, 76.
- upon similar trusts, &c., 76.
- and to vest in succeeding trustees without conveyance, 76.

NOTICE,

- of legal proceedings as to charities to be given to board, 39.
- except by any person claiming adversely to the charity, 40.
- or if undertaken by Attorney-General, 40.
- board may authorize proceedings without having received, 41.
- of appeal from decision of district or county court to be given to board, 56.
- and also to the court, 56.
- except on appeal by Attorney-General, 57.
- to be published of applications for schemes, 58.
- or appointment or removal of trustees, 58.
- in the manner directed by the board, 59.
- to be affixed to the door of a church if so ordered by board, 59.
- and to remain there during period ordered by board, 59.
- evidence of, having been affixed to be *prima facie* evidence of its being there the time ordered, 59.
- to be given of approval of schemes by board one month previous thereto, 66.
- and must contain particulars of scheme, 66.
- or refer to some place where same can be seen, 66.
- and require objections thereto to be sent to board, 66.
- inspector to give public, of sittings held by him for consideration of schemes, 67, 68.

OATH,

inspector may examine witnesses on oath, 36.
persons giving false evidence guilty of misdemeanor, 37.

OFFICER. See **SCHOOLMASTER.**

OFFICIAL TRUSTEES,

secretary of the board and some other public officer or
officers appointed by Lord Chancellor to be, 64.
and persons holding stock in trust for a charity may
transfer same to, 65.
by order of court or judge, &c., 65.
or deposit securities with them, 65.
as also persons paying legacy or charge given to charities,
64.
or where the court shall think fit, 64.
to pay the income of such stock, &c., to the trustees, &c.,
of the charity, 65.
or dispose of the same or of the stock as court, &c.,
direct, 65.

ORDERS,

of board to be entered in books, 34.
and signed by the secretary, 34.
copies of, to be received in evidence, 34.
of board delaying proceedings to be in form directed by
board, 39.
Lord Chancellor with consent, &c., may make general,
for regulating procedure at chambers, 50.
and determining as to appeals, 50.
and fixing the fees payable to solicitors and officers of
court, 50.
which may be varied, 50.
also orders for regulating proceedings in district courts of
bankruptcy, 61.
and county courts, 61.
and the fees to be taken there, 61.
vesting orders may be made for vesting lands of a charity
in the public treasurer in certain cases, 62.
and for revesting same in trustees of charity, 63.
may be made by judge, &c., for transferring stock, &c. to
official trustees, 64.

PARLIAMENT,

commissioners, &c., not to sit in, 33.
minutes framed by commissioners to be laid before, 34.
as well as annual report of board, 69.
salaries to be paid out of funds provided by, 33.

PENSION,

retiring, for discharged officers may be charged upon
charity funds, 44.
or salary of successor, 44.

PETITION. See ATTORNEY-GENERAL, PROCEEDINGS.
 Attorney-General may apply by, under 52 G. 3, c. 101, 59.
 or other Acts authorizing applications by, 60.

PROCEEDINGS,
 notice of all legal, against charities to be given to board,
 39.
 except by persons claiming adversely to the charity, 40.
 board may sanction or delay same, 39.
 not to be entertained by any court or judge without order
 of board, 40.
 Attorney-General acting *ex officio* may take, without
 notice, 40.
 and also in cases certified to him by the board, 42.
 board may institute, without notice having been given to
 them, 41.
 to be before Master of the Rolls at chambers as to cha-
 rities with income above 30*l.* per annum, 47.
 and as to all charities in London, 50.
 or the Vice-Chancellors, 48.
 or Chancellor or Vice-Chancellor of duchy of Lancaster
 if charity situate there, 50.
 to be before district or county court if income does not
 exceed 30*l.*, 51.

PURCHASE OF LAND,
 may be made by charities from owners under disability, &c.,
 46.
 under provisions of Land Clauses Consolidation Acts, 46.

QUEEN ANNE'S BOUNTY,
 commissioners of, exempted from Act, 72.

RECORDS,
 officer having custody of, &c., to furnish copies to board,
 35.
 inspector, &c., may examine, of any court, 36.
 persons claiming adversely to charity not obliged to fur-
 nish, &c., 37.

RELIGIOUS PURPOSES,
 institution, &c. for, exempt from Act, 72.
 if wholly maintained by voluntary contributions, 72.

RELIGIOUS WORSHIP,
 building registered as a place for, exempt from Act, 72.
 if *bond fide* used as such, 72.

ROADS,
 board may sanction making of, through charity estate, 42.
 and authorize application of charity funds for the pur-
 pose, 43.

ROADS—continued.

or the raising of money by mortgage, 43.
as if authorized by trust deed, 46.

ROMAN CATHOLICS,

charities, &c., for the benefit of, exempt from Act for two
years, 72.

if applicable exclusively for their benefit, 72.

and under superintendence of, 72.

REPORT,

annual, to be made by board to the Queen, 69.

in the month of February, 69.

to be laid before parliament, 69.

schemes approved of to be set forth in full, 69.

together with the grounds of approval, 69.

and the objections made thereto, 69.

and the proceedings thereon, 69.

SALARIES,

three of the commissioners to have, 32.

after March, 1857, only two of them, 33.

secretary, inspectors and clerks, to have, 32.

to be paid out of funds provided by parliament, 33.

SALE OR EXCHANGE,

board may sanction, of charity lands, 45.

as if authorized by trust deed, 46.

money arising therefrom to be invested, 45.

SAVINGS BANKS,

exempted from Act, 75.

SCHEMES,

made by board to be entered in books, 34.

order, &c., of district or county court as to, not valid
unless confirmed by board, 53.

public notice of applications for, to be previously given,
as directed by board, 59.

in settling, rights, &c. of Church of England to be re-
served, 61.

may be provisionally approved of by board, 66.

upon application of the trustees, &c., 65.

and after inquiry instituted by board, 65.

or upon the report of an inspector, 65.

or information otherwise obtained, 65.

if it appear desirable to the board, 65.

and the same cannot be carried into effect by Court of
Chancery, &c., 66.

notice to be given of approval of schemes one month
previous thereto, 66.

SCHEMES—continued.

- and to contain particulars of schemes, 66.
- or state where same can be seen, 66.
- and require objections to be sent to board within one month, 66.
- board are to consider the objections sent, 67.
- and may afterwards approve of, or vary scheme, 67.
- or refer the matter thereof to an inspector for local inquiry, 67.
- who is to hold sittings in a convenient place in the parish or district, 67.
- and receive evidence and hear objections, 67.
- and report result to the board with his opinion thereon, &c., 68.
- board to consider such report, 68.
- and if satisfied therewith may approve of the scheme, 68.
- with or without alteration, 68.
- to be embodied in a certificate under seal of board, 68.
- and copy deposited in the parish or district, 68.
- and at the office of county courts' judgments, 68.
- and public notice to be given of intention to approve of, 69.
- approved of by board to be set forth in full in their annual report, 69.
- together with the grounds of approval, 69.
- and the objections shown to same, 69.
- when certified may be carried into effect by Act of parliament, 69.
- every such act to be deemed a public act, 69.

SCHOOLMASTER,

- of any charity may be removed by consent of board, 43.
- and retiring allowance given to him, 44.
- subject to any conditions, 44.

SCHOOLS,

- cathedral, collegiate, chapter, or other, within operation of Act, 74.

SECRETARY,

- to be appointed to the board, 31.
- vacancy in office of, to be filled up, 32.
- to hold office during pleasure of the Queen, 32.
- salary of, 33.
- not to sit in House of Commons, 33.
- entries of minutes to be signed by, 34.
- may examine records, &c. by order of board, 35.
- to be public treasurer of charities, 62.
- and one of the official trustees, 64.
- to keep separate accounts of funds of each charity in hands of such trustees, 65.

STAMP DUTY,

bond to be given by appellant from decision of district or
county court free from, 57.

STATEMENTS. See **ACCOUNTS.**

SUITS. See **PROCEEDINGS.**

TITLE DEEDS,

of charities may be deposited with board, 65.

TREASURER OF PUBLIC CHARITIES,

secretary of the board to be, 62.

to be a corporation sole, 62.

and by that name to have perpetual succession, 62.

and to plead and be impleaded, 62.

land holden in trust for a charity may be vested in, 62.

by order of judge, &c. without any conveyance, 63.

where the land is in other persons besides those acting in
administration of the rents, 62.

or where there are no trustees, or they are unwilling to
act, 62.

or it is uncertain in whom the land is vested, 62.

or the trustees cannot be found, or are under disability,
62.

or out of the jurisdiction of the court, 62.

or a valid appointment of new trustees cannot be made,
62.

or it shall appear to the court, &c. desirable, 63.

but no vesting order to be made of lands vested in a cor-
poration without their consent, 63.

or of the lord of the manor if land copyhold, 63.

and compensation is to be made to him in lieu of fines,
&c., 63.

land so vested in, may be revested in trustees of charity,
63.

by order of judge, &c. without conveyance, 64.

income of lands in, to be applied by the trustees as if
vested in them, 64.

to be a bare trustee, 64.

and to permit trustees of charity to have possession of
trust estates, 64.

TRUSTEES. See also **OFFICIAL TRUSTEES.**

meaning of word in Act, 77.

of charities to render accounts to board, 35.

and return answers to questions, 35.

may be required to appear before inspector, 36.

and be examined upon oath, 36.

but not obliged to travel more than ten miles, 36.

TRUSTEES—continued.

- refusing to attend, to be guilty of contempt of court, 37.
- or to render accounts, 37.
- or return answers, 37.
- or to produce deeds, &c., 37.
- and liable to be attached, 37.
- may apply to board for advice, 38.
- and acting thereupon, to be indemnified, 38.
- if not guilty of fraud, &c., in obtaining same, 39.
- may make building and other leases, by authority of board, 42.
- and do repairs, &c., 42.
- and raise money by mortgage for the purpose, 43.
- or apply part of charity monies, 43.
- may remove any officer of charity with consent of board, 43.
- and of the visitor, 44.
- consent of, necessary to compromise of claims on behalf of charities, 44.
- upon application of, board may authorize sale or exchange of charity lands, 45.
- may redeem rent-charges by authority of board, 45.
- or sell any rent-charge payable to charity, 45.
- may purchase lands for building purposes from owners under disability, 46.
- appointment or removal of, in case of charities above 30*l.* per annum, 47.
- to be under jurisdiction of Master of the Rolls, &c., at chambers, 47.
- or of Chancellor or Vice-Chancellor of duchy of Lancaster, 49.
- in other cases to be under jurisdiction of district court of bankruptcy or county court, 51.
- except as to charities in London, 50.
- and except where board may direct otherwise, 53.
- order of district or county court, as to removal or appointment of, not valid unless confirmed by board, 53.
- copy of, to be sent by board, 53.
- who may remit same back for reconsideration, 54.
- or refer same to other jurisdiction, 54.
- public notice of applications for appointment or removal of, to be previously given, 59.
- applications under jurisdiction given by Act may be made by trustees, 59.
- in appointment or removal of, rights, &c., of Church of England to be reserved, 61.
- where no, of charity lands, the same may be vested in treasurer of public charities, 62.
- by order of court without any conveyance, 63.

TRUSTEES—*continued.*

- or if the trustees are unwilling to act, 62.
- or cannot be found, or are under disability, 62.
- or out of jurisdiction of court, 62.
- or a valid appointment of, cannot be made, 62.
- lands so vested may be revested in charity, 63.
- by order of court, &c., without any conveyance, 64.
- treasurer to be a bare trustee, 64.
- may deposit title deeds of charity with the board, 65.
- may apply for schemes, 65.
- of charities with income not exceeding 30*l.* to send statement and balance sheet of accounts, &c. to the clerk of county court, 70.
- and also to the board, 71.
- the same to be sent to clerk of the peace if income exceeds 30*l.*, 71.
- and also to clerk of county court, if directed by board, 71.

UNIVERSITIES,

- of Oxford, Cambridge, London and Durham, exempt from Act, 72.
- and every college and hall in, of Oxford, Cambridge, or Durham, 72.

VICE-CHANCELLOR. See **MASTER OF THE ROLLS.**

VISITOR,

- consent of, necessary before removal of any officer of charity, 44.

VOLUNTARY SUBSCRIPTIONS,

- Act not to extend to any charitable society wholly supported by, 72.
- or any society for religious or other charitable purpose, 72.
- or any bookselling business carried on by any exempted society by, 73.
- charity partly supported by means of, exempt as to that part thereof, 73.

THE END.

WORKS

PUBLISHED BY SHAW & SONS, FETTER LANE,
LONDON.

LAWES' ACT for PROMOTING the PUBLIC HEALTH, with Notes and an Appendix, containing the Supplemental Acts of 1849, 1850, 1851, and 1852, Abstracts of the Orders in Council and Provisional Orders issued under the Public Health Act, and a Table of Rates leviable under the same Act. By **EDWARD LAWES**, Esq. Barrister-at-Law, and late Chairman of the Metropolitan Commissioners of Sewers. *Third Edition.* 8s.

A TREATISE on the LAW relating to MUNICIPAL CORPORATIONS. By **THOMAS JAMES ARNOLD**, of Lincoln's Inn, Esq. one of the Magistrates for the Metropolitan District. 12s. boards.

THE NEW RULES and FORMS REGULATING the PRESENT PRACTICE and PROCEEDINGS of the COUNTY COURTS; with Notes, Forms, and some additional Forms. By **J. F. ARCHBOLD**, Esq. Barrister-at-Law. 4s.

THE WHOLE of the ACTS RELATING TO THE POOR passed in the Session of 1851, comprising 14 Vict. c. 11; 14 & 15 Vict. cc. 39, 28, 47, 105. By **W. C. GLEN**, Esq. of the Poor Law Board, Barrister-at-Law. 2s. 6d.

ARCHBOLD'S NEW SYSTEM OF CRIMINAL PROCEDURE, PLEADING, AND EVIDENCE IN INDICTABLE Cases as founded on Lord Campbell's Act, 14 & 15 Vict. c. 100, and other recent Statutes, with New Forms of Indictments and the Evidence necessary to support them. By **J. F. ARCHBOLD**, Esq. Barrister-at-Law. 1l. 2s.

THE SMALL TENEMENTS RATING ACT, 13 & 14 Vict. c. 99, and the other Poor Law Statutes passed in the Session of 1850, with copious Notes and Index. By **W. C. GLEN**, Esq. of the Poor Law Board, Barrister-at-Law. *Second Edition,* 2s. 6d.

KEANE'S SUPPLEMENT TO BURN'S JUSTICE of the PEACE and PARISH OFFICER, from January, 1851, to January, 1852. By **D. D. KEANE**, Esq. Barrister-at-Law. 7s. cloth.

THE LOCAL BOARD OF HEALTH ELECTION MANUAL. By **W. G. LUMLEY**, Esq. Barrister-at-Law, and First Assistant Secretary to the Poor Law Board. 4s. boards.

TITHE REPORT of the **TITHE COMMISSIONERS** for ENGLAND and WALES, together with Tables for Calculating the Rentcharge in lieu of the Tithe of Coppice-wood. By HENRY PYNE, Esq. Assistant Secretary to the Tithe Commissioners. 2s. 6d.

PERMANENT TABLES, showing the **VALUE** of **TITHE RENTCHARGES**, under every Variation in the average Price of Corn. To which is added a particular Table for each Year since the passing of the Tithe Commutation Act. By HENRY PYNE, Esq. Assistant Secretary to the Tithe Commissioners. *Third Edition*, 7s. 6d.

TITHE RENTCHARGE TABLES for 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, and 1845; showing for each Year the Value of Rentcharges under the Tithe Commutation Act. By HENRY PYNE, Esq. Assistant Secretary to the Tithe Commissioners. 6d. each.

Ditto, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853.—1s. each.

PAPAL SUPREMACY.—A TREATISE, *proving by the Common-law* (as it existed prior to the Reformation) that the Pope never had right to any supremacy in England. A New Edition. Edited by HENRY PYNE, Esq. Assistant Secretary to the Tithe Commission. 2s.

The original treatise comprised in this little work was first published in the year 1538, during the controversy between Henry VIII. and the See of Rome, and it has always been regarded as the official declaration of that King against the Pope and his adherents.

A PRACTICAL COMMENTARY on the Effect and Operation of the 12 & 13 Vict. c. 45, being an Act to amend the Procedure in Courts of General and Quarter Sessions of the Peace in England and Wales, and for the better advancement of justice in cases within the jurisdiction of those Courts. With the Statute, Index, and Table of Cases. By JAMES A. FOOT, Esq. Barrister-at-Law, Editor of "The Justice of the Peace." 12mo. 3s. cloth.

A COMPLETE REPORT of the important Case of **SALKELD v. JOHNSTON** and others, with the Lord Chancellor's Judgment and Construction of the 2 & 3 Will. 4, c. 100, (Lord Tenterden's Tithe Act) in reference to Tithe Commutation, with Notes. By W. R. RIPLEY, Esq. Solicitor. 1s. 6d.

LOCKE'S GAME LAWS, comprising all the Acts now in force on the subject, brought down to the Session of Parliament of the 12 & 13 Vict. with Explanatory Notes and an Index. By JOHN LOCKE, Esq. of the Inner Temple, Barrister-at-Law. *Third Edition*, 7s. 6d. cloth boards.

Law Booksellers and Publishers.

LAWES' ACT for PROMOTING the PUBLIC HEALTH, 1849; together with the **NUISANCES REMOVAL and DISEASES PREVENTION ACT, 1849**, with Practical Notes and Index. By **EDWARD LAWES, Esq. Barrister-at-Law.** 2s. 6d.

GLEN'S NUISANCES REMOVAL AND DISEASES PREVENTION ACTS, 1848 and 1849; with Practical Notes and Appendix, containing the Directions and Regulations of the General Board of Health, with Index. By **WILLIAM CUNNINGHAM GLEN, Esq. Barrister-at-Law.** *Third Edition,* 12mo. 3s. boards.

ALL the NOTIFICATIONS of the GENERAL BOARD OF HEALTH, printed Pamphlet Size. 1s. and 2s. per dozen.

THE GENERAL ORDER of the POOR LAW COMMISSIONERS, regulating the Accounts of Unions and Parishes therein; dated March 17, 1847; with Notes and an Index. By **W. G. LUMLEY, Esq. Barrister-at-Law**, and one of the Assistant Secretaries of the Poor Law Board; together with the **GENERAL CONSOLIDATED ORDER** issued by the **POOR LAW COMMISSIONERS** on the 24th July, 1847, and the other General Orders applicable to the Unions to which that Order is addressed; with a Commentary and Notes on the several articles. By **WILLIAM CUNNINGHAM GLEN, Esq. of the Poor Law Board, Barrister-at-Law.** 12mo. 7s. boards.

THE CONSOLIDATED GENERAL ORDER of the **POOR LAW COMMISSIONERS**, dated 24th July, 1847, and the other General Orders applicable to the Unions to which that Order is addressed; with a Commentary and Notes on the several Articles, and an elaborate Index. Dedicated, by permission, to **G. CORNEWALL LEWIS, Esq. M.P. late Poor Law Commissioner.** By **WILLIAM CUNNINGHAM GLEN, Esq. of the Poor Law Board, Barrister-at-Law.** 12mo. 5s. boards.

EAGLE'S PRACTICAL INSTRUCTIONS for the making of **WILLS**, agreeably to the Acts 1 Vict. c. 26, and 15 Vict. c. 24. By **WILLIAM EAGLE, of the Middle Temple, Esq. Barrister-at-Law.** Revised and Corrected by **WILLIAM CUNNINGHAM GLEN, Esq. of the Middle Temple, Barrister-at-Law.** *Second Edition,* 2s. 6d.

THE POOR LAW BOARD ACT, 12 & 13 Vict. c. 103, for charging the Costs of Certain Relief upon the Common Fund; and for Amending the Laws for the Relief of the Poor; with Notes. By **WILLIAM CUNNINGHAM GLEN, Esq. Barrister-at-Law.** 1s.

Shaw & Sons, Fetter Lane,

THE COUNTY VOTERS' MANUAL; or, GUIDE to the REGISTRATION COURTS and ELECTIONS, giving Practical Instructions on the County Qualifications for becoming a Registered Elector, and exercising the Rights relating thereto; and also Practical Instructions to Overseers in the Execution of their Duties, in making Objections and publishing the Lists. By W. A. JAMES. 2s. 6d.

THE HISTORY of SAVINGS BANKS in ENGLAND, WALES, IRELAND, and SCOTLAND, with the period of establishment of each Institution; the place where it is held, and the Number of Depositors; classed according to the latest Official Returns. With an Appendix, containing all the Parliamentary Returns that have been printed relating to these Institutions, and an Account of the several Savings Banks in France, and the Amount of Deposits. By JOHN TIDD PRATT, Esq. of the Inner Temple, Barrister-at-Law. 16s.

TIDD PRATT'S COLLECTION of ALL THE STATUTES in FORCE respecting the Relief and Regulation of the Poor, with Notes and References, brought down to the end of the Session of Parliament, 1852. By JOHN TIDD PRATT, Esq. of the Inner Temple, Barrister-at-Law, who assisted in preparing "The Act for the Amendment and better Administration of the Laws relating to the Poor." 22s.

TIDD PRATT'S NEW ACT RELATING TO FRIENDLY SOCIETIES, 13 & 14 and 15 & 16 Vict. (extended in part to Charitable and Benevolent Institutions), with Observations on the Act, the Cases decided on Points applicable thereto, together with a Chapter on the Rise and Progress of Friendly Societies, and a Copious Index. By W. TIDD PRATT, Esq. of the Inner Temple, Barrister-at-Law, who assisted in preparing the Bill. 5s.

TIDD PRATT'S LAW RELATING TO BENEFIT BUILDING SOCIETIES, 6 & 7 Will. 4, c. 32, with practical Notes, Observations on the Act, and all the Cases decided thereon; together with a Form of Rules for a Permanent Benefit Building Society, and a Form of Mortgage to the Trustees. By W. TIDD PRATT, Esq. of the Inner Temple, Barrister-at-Law. 12mo. 4s. boards.

TIDD PRATT'S LAW RELATING TO HIGHWAYS, with Explanatory Notes, References, Forms, Statutes, and Index. By JOHN TIDD PRATT, Esq. of the Inner Temple, Barrister-at-Law. *Sixth Edition*, 6s.

Law Booksellers and Publishers.

TIDD PRATT'S Edition of the **PROPERTY TAX ACT**, (5 & 6 Vict. c. 35,) with Cases of Illustration taken from Official Documents, a full Analysis of its Provisions, Explanatory Notes, Forms of Proceeding, a copious Index, and Tables for Calculating the several duties under the Act. By **JOHN TIDD PRATT**, Esq. of the Inner Temple, Barrister-at-Law. *Second Edition, 7s. 6d.*

THE GENERAL TURNPIKE ROAD ACTS, with Notes, Forms, and a Copious Index. By **JOHN TIDD PRATT**, Esq. of the Inner Temple, Barrister-at-Law. *7s.*

TIDD PRATT'S LAW RELATING TO WATCHING AND LIGHTING PARISHES, &c., comprising the Statutes 3 & 4 Will. 4, c. 90, and 3 & 4 Vict. c. 88, with the Cases decided thereon, Explanatory Notes, an Appendix of Forms, and Index. By **JOHN TIDD PRATT**, Esq. of the Inner Temple, Barrister-at-Law. *Second Edition, 3s. boards.*

BAINES'S ACT for the REMOVAL of Defects in the Administration of CRIMINAL JUSTICE, 11 & 12 Vict. c. 46, together with the Acts 11 & 12 Vict. cc. 78, 101, with Practical Notes. By **JOHN FREDERICK ARCHBOLD**, Esq. Barrister-at-Law. *12mo. 1s.*

This day is published, in 12mo. Royal, price 25s.

ARCHBOLD'S NEW PRACTICE, PLEADING, AND EVIDENCE in the COURTS of COMMON LAW at WESTMINSTER, as regulated by the New Statute 15 & 16 Vict. c. 76, with all necessary Forms and Copious Index. By **J. F. ARCHBOLD**, Esq. Barrister-at-Law.

This day is published, New Edition, the Fifth, price 12s. cloth.

ARCHBOLD'S COUNTY COURT PRACTICE, containing all the Acts, and the whole of the New Rules and Forms; together with the new Act 15 & 16 Vict. c. 54, and all the Cases decided by the Courts at Westminster, with a Copious Index. By **J. F. ARCHBOLD**, Esq. Barrister-at-Law.

ARCHBOLD'S JUSTICE of the PEACE and PARISH OFFICER; with the Practice of Country Attornies in Criminal Cases; comprising also all the necessary Forms of Commitments, Convictions, Orders, &c. By **JOHN FREDERICK ARCHBOLD**, Esq. Barrister-at-Law. Supplement to 1851, by **D. D. KEANE**, Esq. Barrister-at-Law. *3l. 6s.*

ARCHBOLD'S BANKRUPT LAW CONSOLIDATION ACT, (12 & 13 Vict. c. 106), with an Introduction stating the whole of the Practice in Cases of Bankruptcy; and Notes. By JOHN FREDERICK ARCHBOLD, Esq. Barrister-at-Law. 12mo. 9s. boards.

ARCHBOLD'S PRACTICE of the CROWN OFFICE, with Forms of all the Pleadings, Rules, Notices, &c. which occur in Practice. By JOHN FREDERICK ARCHBOLD, Esq. Barrister-at-Law. 12mo. 12s.

For the great correctness of this work, and how fully it may be depended upon in practice, see *Reg. v. The Inhabitants of Newton Ferrars*, 10 J. P. 383.

THE LAW of LANDLORD and TENANT; with all the requisite FORMS, including the PLEADINGS in the several Actions by and against Landlord and Tenant, and the EVIDENCE necessary to support them. By JOHN FREDERICK ARCHBOLD, Esq. Barrister-at-Law. 12mo. boards, 18s.

Table of Contents.

- Part I.—The Tenancy.
 - Part II.—The Landlord's Remedies against his Tenant.
 - Part III.—The Landlord's Remedies against Strangers.
 - Part IV.—The Tenant's Remedies against his Landlord.
 - Part V.—The Tenant's Remedies against Strangers.
 - Part VI.—Fixtures.
-

THE LAW relative to EXAMINATIONS and GROUNDS of APPEAL in cases of ORDERS of REMOVAL; with Forms in all Cases which occur in Practice. By JOHN FREDERICK ARCHBOLD, Esq. Barrister-at-Law. 6s.

THE ACTS 9 & 10 Vict. c. 66, and 10 & 11 Vict. c. 33, relating to the REMOVAL OF THE POOR, with Notes, and the Cases down to the present time; together with the whole of the NEW PRACTICE IN POOR LAW REMOVALS AND APPEALS, 11 & 12 Vict. cc. 31, 111, with Practical Introduction and Notes; and BULLER'S ACTS, 11 & 12 Vict. cc. 32, 91, 110, 114, relating to the Payment of Parochial Debts, the Audit of Accounts, the Chargeability of Paupers upon Unions, and the Education of the Infant Poor, with Practical Notes and Index. By JOHN FREDERICK ARCHBOLD, Esq. Barrister-at-Law. Sixth Edition, 6s. boards.

THE ACTS 9 & 10 Vict. c. 66, and 10 & 11 Vict. c. 33, relating to the REMOVAL OF THE POOR; with Notes, and the Cases up to the present time. By JOHN FREDERICK ARCHBOLD, Esq. Barrister-at-Law. Sixth Edition, 2s. 6d. boards.

BULLER'S ACTS, 11 & 12 Victoria, cc. 82, 91, 110, 114, relating to the PAYMENT of PAROCHIAL DEBTS, the Audit of ACCOUNTS, the CHARGEABILITY of PAUPERS upon UNIONS, and the EDUCATION of the INFANT POOR, with Practical Notes and Index. By J. F. ARCHBOLD, Esq. Barrister-at-Law. 12mo. 2s. boards.

ARCHBOLD'S SUMMARY of the LAWS of ENGLAND, in 4 Volumes. By JOHN FREDERICK ARCHBOLD, Esq. Barrister-at-Law. Demy 12mo.

Vol. I.—The Law of Pleading generally; the Law of Evidence generally; Practice of the Courts of Law at Westminster, of the Courts of the Counties Palatine, of the Borough Courts and County Courts; Pleading and Evidence in all Personal Actions; and Pleading, Evidence, and Practice in Ejectment, upon all Titles and in all Cases. 15s. cloth boards.

Vol. II.—Part 1. Corporeal Hereditaments; Part 2. Incorporal Hereditaments; Part 3. Copyholds and Customary Tenements; Part 4. Rights arising from the Relation of Landlord and Tenant; Part 5. Remedies for Injuries in respect of Real Property. 15s. cloth boards.

In the Press,

Vol. III.—On Equity, Ecclesiastical, and Parliamentary Law.

. Every Volume will be complete in itself.

This day is published, Seventh Edition, price 25s.

ARCHBOLD'S POOR LAW, comprising the whole of the LAW OF SETTLEMENT, and all the Authorities upon the subject of the Poor Law generally, brought down to the present time, with Forms. By JOHN FREDERICK ARCHBOLD, Esq. Barrister-at-Law. *Seventh Edition (re-written).*

THE ACTS 9 & 10 Vict. c. 66, and 10 & 11 Vict. c. 33, relating to the REMOVAL OF THE POOR, with Notes, and the Cases down to the present time; together with the whole of THE NEW PRACTICE IN POOR LAW REMOVALS AND APPEALS, 11 & 12 Vict. cc. 31, 111, with Practical Introduction and Notes. By JOHN FREDERICK ARCHBOLD, Esq. Barrister-at-Law. *Sixth Edition, 4s. boards.*

JERVIS'S ACTS, 11 & 12 Victoria, cc. 42, 43, and 44; relating to the Duties of Justices of the Peace out of Sessions, as to Indictable Offences, Convictions and Orders; and to the Protection of Justices in the Execution of their Duties; with Practical Notes and Forms. By JOHN FREDERICK ARCHBOLD, Esq. Barrister-at-Law. *Third Edition, 12mo. 8s. cloth.*

"We may safely commend this work to the attention of the public, as one on which its author has bestowed much pains and learning, and which is equally worthy of him and of the support which it cannot fail to receive from them."—*Justice of the Peace.*

THE WHOLE of the NEW PRACTICE in POOR LAW REMOVALS and APPEALS, with a Practical Introduction and Notes. By JOHN FREDERICK ARCHBOLD, Esq. Barrister-at-Law. 1s.

In the Press, in 1 vol.

ARCHBOLD'S LAW OF NISI PRIUS; comprising the Declarations and other Pleadings in Personal Actions, and the Evidence necessary to support them; with an Introduction, stating the whole of the Practice at Nisi Prius. By JOHN FREDERICK ARCHBOLD, Esq. Barrister-at-Law.

THE PROTECTION of the COURT of BANKRUPTCY to Persons not in Trade, under the 7 & 8 Vict. c. 70, an Act to facilitate Arrangements between DEBTORS and CREDITORS. By CHARLES STURGEON, Esq. of the Inner Temple, Barrister-at-Law. 2s. 6d. boards.

THE PRACTICE before the COUNTY COURTS in INSOLVENCY, under 1 & 2 Vict. c. 110, and in Insolvent Protection Cases, 5 & 6 Vict. c. 116, and 7 & 8 Vict. c. 96; together with the Act 10 & 11 Vict. c. 102, and a copious Index. By CHARLES STURGEON, Esq. of the Inner Temple, Barrister-at-Law. 12mo. 5s. boards.

CHITTY'S SUMMARY of the OFFICE and DUTIES of CONSTABLES. By THOMAS WILLIAM SAUNDERS, Esq. of the Middle Temple, Barrister-at-Law. *Third Edit.* 3s. 6d.

A PRACTICAL TREATISE on the LAW of ASSAULT and BATTERY; including the REMEDIES by Action, Indictment, Summary Proceedings before Magistrates, and Sureties to keep the Peace; together with an Appendix of Forms and Precedents. By THOMAS WILLIAM SAUNDERS, Esq. of the Middle Temple, Barrister-at-Law. 2s. 6d.

KEANE'S COLLECTION of all the STATUTES and parts of STATUTES now in force, relating to GAOLS and HOUSES of CORRECTION in England and Wales; with Notes, References, and a copious Index. By D. D. KEANE, Esq. of the Middle Temple, Barrister-at-Law. *Second Edition,* 5s. 6d.

This day is published, price 7s. cloth (from January, 1852, to January, 1853),

KEANE'S SUPPLEMENT to BURN'S JUSTICE of the PEACE and PARISH OFFICER. By D. D. KEANE, Esq. Barrister-at-Law.

A POPULAR TREATISE ON THE LAW OF SETTLEMENT and REMOVALS. By W. G. LUMLEY, Esq. Barrister-at-Law, and First Assistant Secretary to the Poor Law Board. *Second Edition,* 4s.

Law Booksellers and Publishers.

LUMLEY'S LUNACY ACTS, 8 & 9 Vict. cc. 100, 126, and 9 & 10 Vict. c. 84 ; with Introduction, Notes, and Index, and an Appendix containing the Statutes relating to insane Criminals and Prisoners, and a Statement of the different Forms of Insanity. By W. G. LUMLEY, Esq. Barrister-at-Law, and First Assistant Secretary to the Poor Law Board. 8s. cloth.

THE GENERAL ORDERS of the POOR LAW COMMISSIONERS, for regulating Parish Apprentices, with a Treatise on the Law and a Collection of the Statutes relating thereto. By W. G. LUMLEY, Esq. Barrister-at-Law, and First Assistant Secretary to the Poor Law Board. 4s. boards.

SUPPLEMENT to the EDITION of the NEW LUNACY ACTS, 8 & 9 Vict. cc. 100, 126, containing the New Statutes, 9 & 10 Vict. c. 84, and the Orders in Lunacy under the 8 & 9 Vict. c. 100 ; with Introduction and Notes. By W. G. LUMLEY, Esq. Barrister-at-Law, and First Assistant Secretary to the Poor Law Board. 2s.

THE NEW BASTARDY ACT, 8 Vict. c. 10, containing the FORMS to be used in Proceedings in Bastardy ; with an Introduction explanatory of the New Provisions. By W. G. LUMLEY, Esq. Barrister-at-Law, and First Assistant Secretary to the Poor Law Board. 2s.

THE ACT for the FURTHER AMENDMENT of the LAWS relating to the POOR in ENGLAND, with the other Statutes affecting the Poor Law passed in 1844, and to the last Session of Parliament, 9 & 10 Vict. ; with Notes, Forms, and Index. By W. G. LUMLEY, Esq. Barrister-at-Law, and First Assistant Secretary to the Poor Law Board. *Third Edition* 6s.

This day is published, Second Edition, price 6s. 6d. cloth,

THE LAW OF PAROCHIAL ASSESSMENTS explained in a Practical Commentary. By W. G. LUMLEY, Esq. of the Middle Temple, Barrister-at-Law, and First Assistant Secretary to the Poor Law Board.

THE GENERAL ORDER of the POOR LAW COMMISSIONERS, regulating the ACCOUNTS of UNIONS and PARISHES therein ; March 17, 1847 ; with Notes and an Appendix, containing an Elucidation of the Order, and the Circular Letter of the Commissioners to the District Auditors. By W. G. LUMLEY, Esq. Barrister-at-Law, and First Assistant Secretary to the Poor Law Board. Crown 8vo. 7s. boards.

Sham & Sons, Fetter Lane,

This day is published, price 4s.

ARCHBOLD'S NEW COMMON LAW SUPPLEMENT.

THE NEW RULES of PRACTICE and FORMS in the COURTS of COMMON LAW at Westminster, 1853, with the New Rules of Examination and Admission, the New Table of Costs, and the Act, References, and Copious Index. By J. F. ARCHBOLD, Esq. Barrister-at-Law.

THE PARISH CONSTABLES' ACT, (5 & 6 Vict. c. 109), with Notes, Forms, and Index. By W. G. LUMLEY, Esq. Barrister-at-Law, and First Assistant Secretary to the Poor Law Board. 3s.

A TREATISE ON THE POOR LAW OF ENGLAND, being a Review of the Origin, and various alterations that have been made in the Law of Settlements and Removals; and the proposed schemes relating to National, Union, and other extended areas for raising Poor Rates, by equalised Assessments, or otherwise. By JAMES DUNSTAN, Vestry Clerk of the Parish of Bromley St. Leonard, Middlesex. 12mo. 6s. boards.

THE LAW RELATING to the ASSESSMENT of RAILWAYS to the RELIEF of the POOR, with a Report of the Case and Judgment in the *Queen v. The London and South Eastern Railway Company*, decided in the Court of Queen's Bench, June 4th, 1842. By WILLIAM HODGES, Esq. of the Inner Temple, Barrister-at-Law. 2s. 6d.

POVERTY, MENDICITY, and CRIME, or the Facts, Examinations, &c. upon which the Report, presented to the House of Lords, by W. A. Miles, Esq. was founded. To which is added a Dictionary of the Flash or Cant Language, known to every Thief and Beggar. Edited by H. BRANDON, Esq. 5s.

GRAND JURIES; REASONS FOR THEIR ABOLITION. By WILLIAM POOTE, Author of "Suggestions for the Improvement of Portions of the Criminal Law;" "Suggestions for abolishing Poor Law Settlements, and to substitute a General Rate for the Relief of the Poor;" "Statement as to Turnpike Trusts," (published at the request of a committee), &c. 12mo. 1s.

ALL THE STATUTES in FORCE RELATING to the CEREMONY of MARRIAGE in ENGLAND, including the recent Marriage Act, and the Act for the Registration of Births, Deaths, and Marriages, with Notes and a Copious Index; together with some Account of the Marriage Laws of France, Ireland, Scotland, &c. By HENRY PEARSON, Esq. of the Middle Temple. 5s.

Law Booksellers and Publishers.

BULLEN'S PRACTICAL TREATISE on the Law of DISTRESS for RENT, and of things Damage-feasant; with forms; and an Appendix of Statutes. By EDWARD BULLEN, Esq. of the Middle Temple, Special Pleader. 9s.

A GENERAL READY RECKONER for calculating the Parishes' Shares of the several Classes of Union Expenditure, and the Quantities of Prepared Provisions to be entered in the "*Daily Provisions Consumption Account*," Form 25 of the Poor Law Commissioners' General Order relating to Accounts; for ascertaining the corresponding Price per Pound, Stone, Cwt., and Ton, and per Stone and per Sack of Flour, or per Loaf, and per Score of Bread; for making Church Rates, Poor Rates, Surveyor's Rates, and for general Purposes. By W. C. HOTSON, Esq. Barrister-at-Law, and District Auditor. *Third Edition*, Vol. I. 8s. 6d.

Vol. II. of ditto, (from 1s. 6d. to any amount.)—8s. 6d.

THE LAW RELATING TO RIOTS and UNLAWFUL ASSEMBLIES, together with a View of the Duties and Powers of Magistrates, Police Officers, Special Constables, the Military, and Private Individuals, for their Suppression; and a Summary of the Law as to Actions against the Hundred. By EDWARD WISE, Esq. of the Middle Temple, Barrister-at-Law. *Second Edition*, 12mo. 2s. 6d. boards.

SNOWDEN'S MAGISTRATE'S ASSISTANT, and POLICE OFFICER and CONSTABLE'S GUIDE; being a plain and practical Summary of the Duties of Magistrates and Peace Officers in the various branches of the Criminal Law usually coming under their cognizance; including full Forms of Bills of Costs for the use of Constables; with an Abstract of the Criminal Law and its Sentences; and a comprehensive Table of Penalties under the Penal Statutes. By D. D. KEANE, Esq. Barrister-at-Law. *Second Edition*, 12mo. 8s. 6d. boards.

THE THEORY and PRACTICE of VALUING TITHES and COMMUTATION RENTCHARGES, illustrated by a Series of Diagrams.—Also, the Principle of assessing Rentcharges and Compositions to the Poor's Rate; to which are added Tables, exhibiting the amount of Net Rent and Rates respectively contained in any Amount of Gross Rent. By LAYTON COOKE, Surveyor. 7s.

THE MAGISTRATE'S ENTRY BOOK (to be kept by the Clerk) of Cases heard and determined before a Magistrate in Petty Sessions. 10s.

Ditto ditto another sort, 16s.

Shaw & Sons, Fetter Lane,

In the Press, in 2 vols. 12mo. Royal,
(BROUGHT DOWN TO THE PRESENT TIME)

DEACON'S LAW and PRACTICE of BANKRUPTCY, with all the **NEW RULES and ORDERS INCORPORATED**. By **JOHN DE GEX**, Esq. Barrister-at-Law.

REMARKS on the **MANNER** in which **TITHES** should be assessed to the **POOR'S RATE** under the existing Law. By the Rev. **RICHARD JONES**, one of the Tithe Commissioners for England and Wales. 2s. 6d.

REMARKS on the **GOVERNMENT BILL** for the **COMMUTATION of TITHE**. By the Rev. **RICHARD JONES**, one of the Tithe Commissioners for England and Wales. 6d.

TABLES for **VALUING ANNUITIES** subject to **LEGACY DUTY**, showing the Values of Annuities from 1s. to 500*l.* held on single Lives, according to the Act 36 Geo. 3, c. 52, and the Amount of Legacy Duty thereon at each of the several Rates now payable by the Act 55 Geo. 3, c. 184. By **J. C. HUDSON**, of the Legacy Duty Office, London. *Second Edition, 5s. bound.*

WILL PAPERS, with Practical Directions for filling them up. By **J. C. HUDSON**, of the Legacy Duty Office, London. 4d. each, and in sets 1s. 6d.

A PRACTICAL GUIDE TO SURVEYORS OF HIGHWAYS, comprising their Powers, Duties, and Liabilities under the New Highway Act, 5 & 6 Will. 4, c. 50, with a copious Index. By **F. W. NASH**, Esq. Barrister-at-Law. *Fifth Edition, 2s. 6d.*

WHALLEY'S TITHE ACT, and the whole of the **TITHE AMENDMENT ACTS**, with Explanatory Notes, and an Appendix of Forms, Cases, &c. with a Treatise on the Recovery of Tithe Rentcharge. By **G. H. WHALLEY**, Esq. Barrister-at-Law, and Assistant Tithe Commissioner. *Second Edition, 12mo. 12s. cloth.*

A TREATISE ON THE HIGH PEAK MINERAL CUSTOMS AND MINERAL COURTS ACT, 1851 (14 & 15 Vict. c. 94), analytically and practically arranged; embracing—1stly, the Mineral Customs Articles and Duties of the King's Field, and certain parts of the hundred of High Peak, in the county of Derby, part of the possessions of the Queen, in right of her Duchy of Lancaster; 2ndly, the Provisions contained in such Act for the better Administration of Justice in the Barmote Courts of such districts; and 3rdly, the Practice and Proceedings of such Barmote Courts. With Notes, References, Forms, and a copious Index. By **THOMAS TAPPING**, Esq. of the Middle Temple, Barrister-at-Law, author of a Treatise on the Writ of Mandamus, &c. 5s. boards.

Law Booksellers and Publishers.

THE ACTS for MARRIAGES and REGISTRATION, 6 & 7 Will. 4, cc. 85 & 86; 7 Will. 4, c. 1; 1 Vict. c. 22: with Explanatory Notes and Index. By **WILLIAM EAGLE, Esq.** of the Middle Temple, Barrister-at-Law. 5s.

THE QUESTION of RATING TITHES in reference to Joddrell's Case *Argued*, and the Opinions advanced by Mr. Blake, in his answer to the Pamphlet of the Rev. Richard Jones, *Examined*. By **GEORGE ABBOTT, Esq.** Barrister-at-law. 1s. 6d.

REMARKS on the APPORTIONMENT of the TITHE RENTCHARGE. By **JAMES JERWOOD, Esq. B. A., F. C. P. S.,** of the Middle Temple, Barrister-at-Law, and one of the Assistant Tithe Commissioners for Special Purposes. 1s.

A SUMMARY of the MODE of SETTling PAROCHIAL BOUNDARIES under the Provisions of the **TITHE ACTS.** By **JAMES JERWOOD, Esq. B. A.** of the Middle Temple, Barrister-at-Law, and one of the Assistant Tithe Commissioners for Special Purposes. 2s. 6d.

This day is published, New Edition, the Sixth, price 6s.
PRIDEAUX'S PRACTICAL GUIDE TO THE DUTIES of CHURCHWARDENS in the Execution of their Office. With List of Cases, Statutes and Canons, an Appendix and Index. By **CHARLES GREVILLE PRIDEAUX,** of Balliol College, Oxford, M.A., and of Lincoln's Inn, Esq. Barrister-at-Law.

THE ACT TO AMEND THE LAW FOR THE REGISTRATION of VOTERS, with a Popular Analytical Introduction and a full and complete Index. By **CHARLES GREVILLE PRIDEAUX,** of Lincoln's Inn, Esq. Barrister-at-Law. *Second Edition,* 5s.

KEANE'S SUPPLEMENT to BURN'S JUSTICE of the PEACE and PARISH OFFICER, from January, 1849, to January, 1850. By **DAVID DEADY KEANE, Esq.** Barrister-at-Law, 6s.

January, 1845, to March, 1848, in 1 Vol., cloth boards, 12s.; from March, 1848, to January, 1849, in 1 Vol., cloth boards, 8s.; or from January, 1845, to January, 1851, in 1 Vol., cloth boards, 32s.

THE LAW of MASTER and SERVANT, in regard to Domestic Servants and Clerks. With Notes, References, and Index. By **EDWARD SPIKE, Esq.** Attorney-at-Law. 2s. 6d.

Shaw & Sons, Fetter Lane,

THE PARISH OFFICERS' LIBRARY.

By J. N. SPELLEN, Esq. Barrister-at-Law.

	s.	d.
The CHURCHWARDENS' ASSISTANT - - -	1	0
The CONSTABLES' GUIDE and DIRECTOR - - -	1	0
The OVERSEERS' ASSISTANT - - -	1	0
The SURVEYORS' ASSISTANT - - -	1	0
The VESTRY CLERK and PARISH LAWYER - - -	3	6

These Treatises are written in a clear and distinct manner, divested of technical terms, giving the whole of the Duties of the several Officers.

It will be absolutely necessary to Order "SPELLEN'S EDITION," there being other Editions got up merely for Sale without any Author's Name, and wholly unworthy of Confidence.

FORMS OF LETTINGS, OR OF AGREEMENTS FOR LEASES, each 6d.

Drawn and Settled by JOHN EVANS, Esq. Barrister-at-Law.

No. 1. Agreement for Letting Furnished Lodgings.

2. " for Yearly Letting of a House.
3. " for Letting a House, &c. for Years certain.
4. " by Freeholder for Letting, and (on request) to grant a Lease of, a House, &c.
5. " ditto by Leaseholder.
6. " by Freeholder for Letting, and (on request) to grant a Lease of, a Farm.

A PRACTICAL TREATISE ON MISDEMEANORS. By HUMPHRY W. WOOLRYCH, of the Inner Temple, Barrister-at-Law. 14s.

"It is in fact a Practical Treatise, and will be found extremely useful not only to the general practitioner, but to the public in general."—*Sun.*

SIMON'S PRACTICAL TREATISE OF THE LAW OF INTERPLEADER, as applicable for the Relief of Stakeholders and Sheriffs, &c. in Cases of Adverse Claims to Personal Property; Validity of Bills of Sale, &c. With an Appendix, containing the Interpleader Act, and Forms of Notices, Affidavits, Rules, Feigned Issues, &c. By HENRY A. SIMON, Esq. of the Middle Temple, Barrister-at-Law. Second Edition, 12mo. 6s. 6ds.

LYNAM'S ROMAN EMPERORS.

Dedicated by Permission

TO THE RIGHT HON. THE EARL OF CARLISLE.

Just Published, in 2 Vols., demy 8vo., beautifully printed, with a fine Portrait of the Author,

THE HISTORY of the ROMAN EMPERORS, from AUGUSTUS to the Death of MARCUS ANTONINUS, carefully digested from the original Latin and Greek Authors: Connecting the Histories of the ROMAN REPUBLIC by HOOKE and others, and GIBBON'S DECLINE AND FALL OF THE ROMAN EMPIRE. By the late Rev. ROBERT LYNAM, M.A. of Trinity College, Cambridge. Edited by the Rev. JOHN T. WHITE, M.A. of Corpus Christi College, Oxford. 20s. cloth.

Law Booksellers and Publishers.

THE ACT for the **CONVICTION** of **JUVENILE OFFENDERS**, 10 & 11 Vict. c. 82, with a Practical Commentary and Forms. By **CHARLES SPRENGEL GREAVES**, Esq. of Lincoln's-Inn and the Inner Temple, Barrister-at-Law, and a Magistrate for the Counties of Stafford and Derby. 12mo 4s. boards.

TABLE OF FEES TO BE TAKEN IN THE COUNTY COURTS, under the Orders of Sir George Grey, Baronet, one of Her Majesty's Principal Secretaries of State, dated 15th November, 1850, showing at one view the Total Amount of Fees to be taken on every Proceeding. By **BWEN EVERSHERD**, Clerk of the County Court of Sussex at Brighton. Honorary Secretary to the County Court Clerks' Association. 6d.

In the Press, the Third Volume of

ARCHBOLD'S SUMMARY of the **LAWS of ENGLAND**—On **EQUITY, ECCLESIASTICAL, and PARLIAMENTARY LAW**. By **JOHN FREDERICK ARCHBOLD**, Esq. Barrister-at-Law.

•• This Work will be completed in 4 volumes. Every volume will be perfect in itself.

This day is published, price 3s.

COPYHOLD ENFRANCHISEMENT MANUAL, and **ALL** the **COPYHOLD ACTS**, with copious Explanatory Notes, Practical Directions, References, Index, &c.; wherein the Acts themselves, and the mode of carrying them out, are fully explained and set forth, forming altogether a Complete Manual of Enfranchisement for the use of the Copyholder. By **WILLIAM TAPPING**, of the Middle Temple, Barrister-at-Law.

POOR LAW ACTS OF 1852.

This day is published,

THE WHOLE of the **ACTS RELATING TO THE POOR** passed in the Session, 1852. By **W. C. GLEN**, Esq. of the Poor Law Board, Barrister-at-Law. 2s. 6d. boards.

A PRACTICAL ANALYSIS of the **TRUSTEE ACT**, 1850, for England and Ireland, 13 & 14 Vict. c. 60, and 15 & 16 Vict. c. 55; with the Act, and Suggestions for Forms of Proceedings under it. By **GEORGE HORSEY**, Esq. of Gray's Inn, Barrister-at-Law. 2s. 6d.

"We advise every one of our readers desirous of understanding the provisions of the Trustee Act, to purchase Mr. Horsey's Analysis, which while it is moderate in price, is at the same time excellently planned and very ably executed."—*Law Student's Magazine* for December, 1850.

BOOTE'S HISTORICAL TREATISE of a **SUIT AT LAW**, with Notes. By **GEORGE THOMAS WHITE**, Esq. Barrister-at-Law. *Seventh Edition*, 8s.

Shaw & Sons, Fetter Lane.

This day is published, price 10s. cloth,

ARCHBOLD'S PARISH OFFICER, comprising the whole of the PRESENT LAW RELATING to the SEVERAL PARISH OFFICERS IN ENGLAND: comprising also the Law as to Church-rates, Highway-rates, Vestries, Watching and Lighting, &c. By J. F. ARCHBOLD, Esq. Barrister-at-Law.

Published every Saturday, Price 6d. Stamped,

THE JUSTICE OF THE PEACE, Edited by J. A. FOOT, Esq., D. D. KEANE, Esq., and W. C. GLEN, Esq. Barristers-at-Law.

Subscription, £1 6s. 6d. per Annum.—Forwarded, Free of Postage, to all parts of the Country, and may be had of every Newsvender.

The pages of the "Justice of the Peace" are principally devoted to matters relating to Magisterial and Parochial Business, more particularly those which arise in Parliament,—Reports of Cases at the Superior Courts at Westminster,—Practical Treatises on Acts of Parliament,—Opinions upon Cases submitted to the Editors,—Digest of Reports presented to Parliament,—Periodical Business to be done at the Sessions,—with a variety of other Matter, which will be found of great use to the Legal Profession generally.

COMPLETE SETS of the JUSTICE of the PEACE
may be had from the commencement, as under:—

Vol.	I. 1837, half bound and lettered	-	£1	3	0
"	II. 1838, ditto	-	1	11	6
"	III. 1839, ditto	-	1	11	6
"	IV. 1840, ditto	-	1	11	6
"	V. 1841, ditto	-	1	11	6
"	VI. 1842, ditto	-	1	11	6
"	VII. 1843, ditto	-	1	13	0
"	VIII. 1844, ditto	-	1	13	0
"	IX. 1845, ditto	-	1	13	0
"	X. 1846, ditto	-	1	13	0
"	XI. 1847, ditto	-	1	13	0
"	XII. 1848, ditto	-	1	13	0
"	XIII. 1849, ditto	-	1	13	0
"	XIV. 1850, ditto	-	1	13	0
"	XV. 1851, ditto	-	1	13	0
"	XVI. 1852, ditto	-	1	13	0

ROBERT SHAW, PUBLISHER,

OFFICE, 137, FETTER LANE.



—

**WORKS PUBLISHED BY SHAW & SONS,
FETTER LANE, LONDON.**

Price 7s. 6d., the **Second Edition.**

Dedicated (by permission) to HENRY L. WICKHAM,
Esq., Chairman of the Board of Stamps and Taxes.

TIDD PRATT'S Edition of the **PROPERTY TAX ACT**, (5 & 6 Vict. c. 35,) with Cases of Illustration taken from Official Documents, a full Analysis of its Provisions, Explanatory Notes, Forms of Proceeding, a copious Index, and Tables for Calculating the several Duties under the Act. By JOHN TIDD PRATT, of the Inner Temple, Esq., Barrister-at-Law.

This day is published, **Sixth Edition**, price 6s.

TIDD PRATT'S LAW RELATING TO HIGHWAYS, with Explanatory Notes, References, Forms, Statutes, Cases, and Copious Index. By JOHN TIDD PRATT, Esq., of the Inner Temple, Barrister-at-Law.

This day is published, price 10s. cloth.

ARCHBOLD'S PARISH OFFICER, comprising the **WHOLE** of the **PRESENT LAW RELATING** to the **SEVERAL PARISH OFFICERS IN ENGLAND**: comprising also the Law as to Church-rates, Highway-rates, Vestries, Watching and Lighting, &c. By J. F. ARCHBOLD, Barrister-at-Law.

ARCHBOLD'S POOR LAW.

New Edition, the Seventh, Re-written.

Price 25s.

This day is published.

ARCHBOLD'S POOR LAW, comprising the whole of the **LAW OF SETTLEMENT**, and **ALL THE AUTHORITIES** upon the Subject of the **Poor Law** generally, with Forms. By JOHN FREDERICK ARCHBOLD, Esq., Barrister-at-Law.

This day is published, price 6s.,

New Edition, the Sixth, of

PRIDEAUX'S PRACTICAL GUIDE to the **DUTIES** of **CHURCHWARDENS** in the Execution of their Office. With Lists of Cases, Statutes and Canons, an Appendix and Index. By CHARLES GREVILLE PRIDEAUX, of Balliol College, Oxford, M. A., and of Lincoln's Inn, Esq., Barrister-at-Law.

Just published, price 8s. 6d. boards.

The Second Edition of

SNOWDEN'S MAGISTRATE'S ASSISTANT and POLICE OFFICER AND CONSTABLE'S GUIDE; being a plain and practical Summary of the Duties of Magistrates and Peace Officers, in the various branches of the Criminal Law; with a comprehensive Table of Penalties under the Penal Statutes. By D. D. KEANE, Barrister-at-Law.